United Nations S/PV.4841

Security Council

Fifty-eighth year

Provisional

4841 st meeting

Tuesday, 14 October 2003, 10.30 a.m.

New York

President:	Mr. Negroponte	(United States of America)
Members:	Angola	Mr. Gaspar Martins
	Bulgaria	Mr. Tafrov
	Cameroon	Mr. Belinga-Eboutou
	Chile	Mr. Maquieira
	China	Mr. Wang Guangya
	France	Mr. De La Sablière
	Germany	Mr. Pleuger
	Guinea	Mr. Sow
	Mexico	Mr. Aguilar Zinser
	Pakistan	Mr. Akram
	Russian Federation	Mr. Lavrov
	Spain	Mr. Arias
	Syrian Arab Republic	Mr. Mekdad
	United Kingdom of Great Britain and Northern Ireland	Sir Emyr Jones Parry

Agenda

The situation in the Middle East, including the Palestinian question

Letter dated 9 October 2003 from the Permanent Representative of the Syrian Arab Republic to the United Nations addressed to the President of the Security Council (S/2003/973)

This record contains the text of speeches delivered in English and of the interpretation of speeches delivered in the other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room C-154A.

03-55722 (E)

The meeting was called to order at 11.05 a.m.

Adoption of the agenda

The agenda was adopted.

The situation in the Middle East, including the Palestinian question

Letter dated 9 October 2003 from the Permanent Representative of the Syrian Arab Republic to the United Nations addressed to the President of the Security Council (S/2003/973)

The President: I should like to inform the Council that I have received letters from the representatives of Argentina, Bahrain, Brazil, Cuba, Egypt, Indonesia, the Islamic Republic of Iran, Israel, Italy, Japan, Jordan, Lebanon, the Libyan Arab Jamahiriya, Malaysia, Nepal, New Zealand, Norway, Qatar, Saudi Arabia, South Africa, the Sudan, Tunisia, Turkey, the United Arab Emirates and Yemen in which they request to be invited to participate in the discussion of the item on the Council's agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite those representatives to participate in the discussion, without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

At the invitation of the President, Mr. Gillerman (Israel) took a seat at the Council table.

At the invitation of the President, the representatives of the other aforementioned countries took the seats reserved for them at the side of the Council Chamber.

The President: I should like to inform the Council that I have received a letter dated 13 October 2003 from the Permanent Observer of Palestine to the United Nations, which will be issued as document S/2003/988, and which reads as follows:

> "I have the honour to request that, in accordance with its previous practice, the Security Council invite the Permanent Observer of Palestine to the United Nations to participate in the meeting of the Security Council to be held on 14 October 2003 regarding the situation in the occupied Palestinian territory, including East Jerusalem."

I propose, with the consent of the Council, to invite the Permanent Observer of Palestine to participate in the current debate in accordance with the rules of procedure and the previous practice in this regard.

There being no objection, it is so decided.

At the invitation of the President, Mr. Al-Kidwa (Palestine) took a seat at the Council table.

The President: I should also like to inform the Council that I have received a letter dated 9 October 2003 from the Permanent Representative of the Syrian Arab Republic to the United Nations, which reads as follows:

> "In accordance with rule 39 of the rules of procedure of the Security Council, I have the honour to request the participation of Mr. Yahya Mahmassani, Permanent Observer of the League of Arab States to the United Nations, in the meeting regarding the decision by Israel to proceed with the construction of its expansionist conquest wall in the Occupied Palestinian Territory, including East Jerusalem."

That letter is published as a document of the Security Council under the symbol S/2003/975.

If I hear no objection, I shall take it that the Council agrees that an invitation under rule 39 should be extended to His Excellency Yahya Mahmassani.

I invite the Permanent Observer for the League of Arab States to take the seat reserved for him at the side of the Council Chamber.

The President: I should also like to inform the Council that I have received a letter dated 13 October 2003 from the Permanent Representative of the Islamic Republic of Iran to the United Nations which reads as follows:

> "In my capacity as Chairman of the Organization of the Islamic Conference (OIC) Group at the United Nations, I have the honour to request that the Security Council extend an invitation to Mr. Ahmad Hajihosseini, deputy permanent observer of OIC to the United Nations, Chargé d'affaires, a.i., to address the Council under rule 39 of its provisional rules of procedure in the course of the Council's consideration of the

agenda item 'The situation in the Middle East, including the Palestinian question'."

This letter will be published as a document of the Security Council under the symbol S/2003/989.

If I hear no objection, I shall take it that the Council agrees to extend an invitation under rule 39 to Mr. Ahmad Hajihosseini.

There being no objection, it is so decided.

I invite Mr. Hajihosseini to take the seat reserved for him at the side of the Council Chamber.

I should like to inform the Council that I have received a letter dated 13 October 2003 from the Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, which reads as follows:

> "In my capacity as Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, I have the honour to request that I be invited to participate in the debate on the situation in the Middle East, including the Palestinian question, under rule 39 of the provisional rules of procedure of the Security Council."

On previous occasions, the Security Council has extended invitations to representatives of other United Nations bodies in connection with the consideration of matters on its agenda. In accordance with past practice in the matter, I propose that the Council extend an invitation under rule 39 of its provisional rules of procedure to the Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People.

There being no objection, it is so decided.

I invite the Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, Mr. Papa Louis Fall, to take the seat reserved for him at the side of the Council Chamber.

The Security Council will now begin its consideration of the item on its agenda. The Council is meeting in response to the request contained in a letter dated 9 October 2003 from the representative of the Syrian Arab Republic to the United Nations addressed to the President of the Security Council, document S/2003/973.

I should also like to draw the attention of Council members to documents S/2003/974 and S/2003/977, which contain the texts of letters dated 9 October 2003 from the representatives of Malaysia and the Islamic Republic of Iran, respectively.

As a measure to optimize the use of our time, in order to allow as many delegations to take the floor as possible, I will not individually invite speakers to take seats at the table. When a speaker is taking the floor, the Conference Officer will seat the next speaker on the list at the table.

The first speaker inscribed on my list is the Permanent Observer of Palestine, to whom I give the floor.

Mr. Al-Kidwa (Palestine) (*spoke in Arabic*): It is indeed difficult for the international community to keep pace with the successive crimes committed by Israel. Before I deal with the question before the Council today, I cannot but refer to the crimes committed by Israel, the occupying Power, in the Rafah refugee camp and around the city in the last few days. We had sent two letters to you, Mr. President, about this matter.

The occupation forces killed eight Palestinians and wounded more than 70. According to a report by the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), it completely demolished nearly 120 houses, and 50 houses were partially destroyed. This led to the evacuation of about 1,500 Palestinian citizens from their homes. Rafah now looks as if it had been struck by an earthquake. This is the result not of a natural disaster, but of human evil — the evil of the Israeli occupation.

Amnesty International has described the events that took place in Rafah as a war crime. Nevertheless, the occupation forces today returned once again to the area and issued military orders to deport 15 Palestinian citizens from their homes in the occupied West Bank to the Gaza Strip. This is a grave violation of international humanitarian law and of numerous Security Council resolutions.

The Council and the international community must deal with all these matters and other, similar ones, at a subsequent stage.

Israel, the occupying Power, is committing an immense war crime against the Palestinian people — a crime that has the magnitude of a crime against

humanity — by building an expansionist wall in the occupied Palestinian territories, including East Jerusalem. This has involved the confiscation and destruction of thousands of dunums of Palestinian land; the destruction of the livelihood of tens of thousands of Palestinian civilians; and the illegal, de facto annexation of extensive areas of occupied Palestinian land.

With the continued building of this expansionist wall — if the international community permits the continuation of such a crime — Israel will have effectively transferred large numbers of Palestinian civilians and will have confined the rest of the Palestinian people in several walled bantustans with additional secondary walls inside them. It will, of course, also have effectively destroyed the possibility of the existence of an independent, sovereign State of Palestine and the potential for achieving a political settlement of the Israeli-Palestinian conflict in line with the two-State vision, based on Security Council resolution 242 (1967) and the armistice line of 1949, known also as the line of 1967.

Israel, the occupying Power, began building the first phase of its wall in the northwest areas of the occupied West Bank in June 2002. For several months it succeeded in avoiding any real response by the international community to this action because of the secrecy surrounding the planning of the wall and the false impression it created about compliance, albeit relative, with the armistice line. In addition, of course, to the continuation of its bloody military campaign against the Palestinian people and the continuation of its media and political campaign against the Palestinian Authority and leadership, different immediate priorities were imposed on the Palestinian side and on the international community.

Under this cover, Israel, the occupying Power, actually concluded what it refers to as the first phase. It declared, in April 2003, the completion of 27 kilometres of the expansionist wall and then, by the end of the summer, the completion of the entire first phase of about 150 kilometres.

The wall is composed of several components, including, in some areas, concrete walls 8 metres high with fortified guard towers and, in others, several fences, including electrical ones, containing all or most of the following: trenches, dirt paths, two-lane paved patrol roads, barbed wire, sensors and "no-go" areas, making the width of the wall anywhere from 70 to 100 metres. I hope that Council members will take a look at the two pictures distributed with our statement today. In its first phase, this expansionist wall has already resulted in the confiscation and destruction of approximately 15,000 dunums of land for just the footprint of the wall alone, which also involved the uprooting of more than 100,000 trees and the destruction of 30 kilometres of water networks. Moreover, because the wall has cut deep into Palestinian territories — up to 6 kilometres from the armistice line — it has isolated more than 105,000 dunams of Palestinian land. If the wall is not removed, the fate of that land will be its illegal, de facto annexation by Israel.

The confiscation of the Palestinian land on which the wall has been built and of the Palestinian land isolated between the wall and the armistice line has had destructive effects on the lives of more than 200,000 Palestinian civilians in 65 villages and towns on both sides of the wall. Among other things, it has partially or completely separated those civilians from their land and water resources and from the rest of the Palestinian people. In addition, severe restrictions have been placed on the movements of some of them. These restrictions include the complete walling of the city of Qalqilya and the control of entry and exit into and out of the city through one gate, which is open for only a few hours a day for the city's 40,000 inhabitants.

With regard to occupied East Jerusalem, Israel, the occupying Power, has not contented itself with isolating the city from the rest of the occupied Palestinian territory and with its ongoing attempts to Judaize the city and change its demographic composition. It has built a similar wall up to 8 kilometres long — which could be called the northern wall of Jerusalem — which has resulted in the confiscation of 800 dunams of Palestinian land from the villages of Al-Ram, Kalandia and Kufr Aqab. All of that is part of the plan for a Greater Jerusalem that extends deep into the occupied territory to include the illegal Israeli settlement of "Maale Adumim".

Similar plans are in store for the city of Bethlehem. The city has been completely besieged, especially since the building of a wall 15 kilometres long north of the city — that is to say, south of Jerusalem. The wall is totally suffocating the city in an attempt to provide for the expansion of the Israeli settlements south of occupied Jerusalem.

On 1 October, the Israeli Government adopted plans for the expansionist wall's second phase, which dwarfs the first phase in terms of the extent of the illegal expansion and conquest of Palestinian land, as well as other dangerous consequences in that regard. The second phase is to begin with the establishment of the wall east of the illegal Israeli settlements of "Ariel" and "Kedumim", which will cut more than 22 kilometres into Palestinian land. The consequences of that can only be imagined. Once again, I invite the Council to review the map distributed with our statement, which illustrates the first and second phases, as well as the entire project. If the international community allows the implementation of this phase of such an Israeli crime, then the third and fourth phases will follow, making the length of the wall more than 500 kilometres, at a cost of more than $1 billion. After that, the establishment of the wall on the eastern side of the Palestinian territory will begin in order to isolate it from its international border with Jordan, allowing for the conquest of the Jordan Valley and the completion of the walls of the three or four bantustans on half of the occupied Palestinian territory.

To restate the obvious, the expansionist wall of conquest — in its parts and in its entirety — is illegal. Its construction represents a violation of both Article 2, paragraph 4, and Article 1, paragraph 2 of the Charter of the United Nations. It violates the established principle of international law that prohibits the acquisition of territory by force. It violates article 47 of the Fourth Geneva Convention, which bans any annexation by the occupying Power of the whole or part of the occupied territory. It also violates article 33 of the Geneva Convention, which prohibits collective punishment of protected civilians. Finally, it represents a grave breach of the Convention under article 147, as it involves extensive destruction and appropriation of property. All of that is in addition to its serious violation of relevant Security Council resolutions, including resolution 242 (1967), cornerstone of the peace process, and of the Oslo Agreements. Thus, it is abundantly clear that the establishment of the expansionist conquest wall by the occupying Power is a war crime and, I reiterate, it is of the same magnitude as a crime against humanity.

The establishment of this expansionist wall complements Israeli settlement activities. Their nature is the same in terms of the colonization, conquest and annexation of the land. The wall is another war crime that compounds the other war crime — the Israeli settlement of our land — in addition, of course, to the countless other war crimes committed by the occupying Power against the Palestinian people.

Israel, the occupying Power, has illegally transferred more than 400,000 Israeli settlers to the occupied Palestinian territory, including East Jerusalem, placing them in more than 200 settlements built on more than 8 per cent of Palestinian land, in addition to the land in their vicinities and the additional land they attempt to control. It has established a separate infrastructure and a complete network of roads for those settlers, and it has enabled them to exploit and abuse our natural resources, including our water, and to terrorize our people. Now, with the building of its expansionist wall, the occupying Power is attempting to annex the Palestinian land on which half those settlers are living, while leaving enough room for the expansion of the rest of the settlements and, at the same time, destroying the Palestinian national existence.

Israel has done all of this despite the absolute prohibition of such colonization under the 1949 Fourth Geneva Convention and its Additional Protocol 1, which defines such action as a war crime, as does the Rome Statue of the International Criminal Court. Israel has done all of this despite the fact that the Security Council has reaffirmed the applicability of the Fourth Geneva Convention in 26 resolutions, which demand that the occupying Power comply with its provisions and some of which specifically demand the cessation of settlement activities and declare the annexation of East Jerusalem to be null and void.

How can these Israeli war crimes be appropriately described? Is this classic colonization? We believe it is worse than that. Is this a new apartheid system? We believe it is worse than that. It is a combination that has drawn upon those two ugly phenomena, amounting to the lowest-level thinking of racist colonizers with regard to achieving expansion, colonization and negation of the indigenous people's national existence, which are all in grave breach of fundamental laws and values of the United Nations Charter, international humanitarian law and the relevant Security Council resolutions.

Indeed, the Special Rapporteur of the Human Rights Commission, Professor John Duggard, in his report to the Commission on the situation of human rights in the Palestinian territories occupied by Israel

since 1967, stated, inter alia, the following with regard to the issue of the wall:

> "Like the settlements it seeks to protect, the Wall is manifestly intended to create facts on the ground. It may lack an act of annexation, as occurred in the case of East Jerusalem and the Golan Heights. But its effect is the same: annexation. Annexation of this kind goes by another name in international law — conquest." (*E/CN.4/2004/6, para. 14*)

He goes on to say:

> "The right to self-determination is closely linked to the notion of territorial sovereignty. A people can only exercise the right of self-determination within a territory. The amputation of Palestinian territory by the Wall seriously interferes with the right of self-determination of the Palestinian people as it substantially reduces the size of the self-determination unit (already small) within which that right is to be exercised." (*Ibid., para. 15*)

Israel claims that it is building the expansionist wall as a security measure to prevent suicide bombings. This is not only incredible and illogical, but a repetition of the same lie and pretext that has been used by Israel over the years to commit all of its crimes against the Palestinian people, particularly its campaign of expansionism and settler colonialism.

Israel could build walls along the armistice line and could raise them to 80 metres instead of eight. It is true that this would be a bad thing in terms of coexistence between the two sides, but no one could say it is illegal. Indeed, Israel did that to some extent around the occupied Gaza Strip. If this were now the case with regard to the occupied West Bank and the armistice line, then it would be possible to believe that Israel is actually building the wall as a security measure.

It is imperative to recall in this regard that in the past Israel repeatedly used the same meaningless security pretext before the Security Council to justify its illegal settlement activities throughout the territories it has occupied since 1967.

Indeed, over the years the Council has repeatedly witnessed, as can be seen in the record, the actual colonization of our land while the Israeli side continued to repeat the argument that this was all just "a security measure". The transfer of 400,000 settlers was described before this Council as "a security measure". In reality, the entire issue has revolved around one thing, land, and Israel's plans to illegally expand and conquer more land at the expense of the rights of the Palestinian people.

In the war of 1948, immediately after declaring its existence, Israel conquered almost half the territory allotted by the United Nations to the Arab State when the United Nations partitioned Mandated Palestine in accordance with General Assembly resolution 181 (II) of 29 November 1947, under the pretext that it was attacked by the Arab States. In the war of 1967, Israel occupied the remaining half allotted to the Arab State, which represents less than one-quarter of Mandated Palestine, and has refused to withdraw for more than 36 years.

When the Palestinian leadership made the unparalleled historic concession to accept coexistence between the two States, with Palestine established only on the Palestinian territory occupied since 1967, Israel continued instead to colonize our land and to illegally transfer its nationals to that land.

Even after the start of the Oslo peace process, the occupying Power continued in this regard, actually doubling the number of settlers since then, and it has continued since the launching of the road map.

Israel is doing all of this when it has not even solved the issue of the ownership of land in Israel itself. There are 5.5 million dunums of land privately owned by Palestinian refugees. I speak here specifically about private ownership and not public ownership, all of which was accounted for and documented by the United Nations Conciliation Commission for Palestine (UNCCP), composed of the United States, France and Turkey. In fact the UNCCP record was recently modernized in a way that has made it available for practical use. These 5.5 million dunums constitute almost half of the land of Israel if we exclude the Negev desert.

Apparently, for Israel taking over these lands instead of restoring them to their rightful Palestinian owners was not enough. It has actually moved to colonize the land left to the Palestinian people in the West Bank, including East Jerusalem and the Gaza Strip, once more as part of the biggest war crime of its kind in our contemporary history.

Absolute madness and compounded crimes, the arrogance of power and the absence of morality, have all been sustained by illegitimate protection, by a huge influx of funds and unlimited armaments, all provided by basically one source.

The Security Council clearly bears responsibility for the prevailing situation in the occupied Palestinian territory, including East Jerusalem. In addition, the Security Council, the Middle East region as a whole, and the entire international community are now approaching the moment of truth. Either Israel, the occupying Power, will be allowed to continue all that it has been doing illegally — that is, colonizing our land, conquering it and denying the existence of the State of Palestine, with all the consequent grave results, not least the demise of the two-State solution and the emergence of a more radical solution or the continuation of a perpetual conflict — or Israel is to be stopped. Settlements must be stopped. The wall must be stopped. And both must be reversed. That will rescue the potential for achieving peace and a final settlement based on the existence of two States, Israel and Palestine.

Accordingly, the meeting of the Council and its decision this time have strategic and historic importance. We hope that the Council will rise to the level of this challenge.

The President: I now call on the representative of Israel.

Mr. Gillerman (Israel): Here we go again. In a pattern that is as familiar as it is distasteful, we have gathered for yet another meeting of the Council called to censure Israel for its measures to prevent terrorism, rather than to address the terrorism itself. Members might pause to consider what message is sent to the citizens of the world by this kind of Council activity, especially after hearing from the Palestinian Observer that the biggest war crime carried out in contemporary history is not the murder of innocents, but the defensive measures taken to protect them.

What message is sent by the Council when it convenes to address Israel's measured defensive response against a terrorist training facility, a response in which there were no casualties, but does not convene immediately to address the deliberate murder of 20 innocent civilians at a beachfront restaurant in Haifa on the eve of the holiest day in the Jewish calendar?

What message is sent when the focus of a debate is the building of a security fence by Israel to protect against terrorism, rather than the murder of hundreds of innocent civilians that made its construction inevitable?

It is a message that the victims of terrorism, at least if they are Israeli, cannot seek or find protection in this Council from the rogue regimes that continue to sponsor the deliberate murder of innocent civilians, in violation of international law and the Council's own resolutions. This is the true double standard at the United Nations, and sooner or later it must be addressed.

Many lies and misrepresentations have been made about Israel's security measures, but no lie is so bold and audacious as the one which pretends that Israel's actions occur in a vacuum and are not in response to years and years of terrorism of the most vicious and brutal kind.

The decision to construct a security fence is one which Israel has arrived at with great reluctance. Three main factors have brought us to this conclusion. The single most important factor has been Yassar Arafat and the Palestinian Authority. Israel's policymaking over the past 10 years has been guided by the belief that measures agreed bilaterally by the two sides are preferable to unilateral measures. Indeed, we still believe that today. But 10 years and thousands of victims later, we have painfully come to the realization that wanting someone to be a partner does not make him one. Yasser Arafat has proved beyond a shadow of a doubt that he is incapable, unwilling and uninterested in making peace with Israel. In the choice faced by the Palestinian leadership — namely, between building a partnership with Israel or with Palestinian terrorist groups — the terrorists have won every time.

In choosing terrorists over Israel, and *jihad* over *salam*, Arafat and the Palestinian Authority have flouted numerous Security Council resolutions — including resolutions 1373 (2001) and 1435 (2002) — the provisions of the road map and repeated Palestinian undertakings in our peace agreements. Those documents clearly require that the Palestinian Authority dismantle the terrorist infrastructure, prevent terrorism and incitement, and bring those responsible to justice. Yet, to this day the Palestinian leadership continues to declare, brazenly and publicly, that it has no intention of fulfilling the very first clauses of the

road map, which call, inter alia, for the dismantlement of terrorist capabilities and infrastructure. As we can see almost daily from the headlines, Yasser Arafat continues to prevent the emergence of a Palestinian leadership that will do something other than foment hatred, sponsor terrorism or encourage and tolerate the smuggling of sophisticated weapons into the hands of murderers while using civilians as human shields.

To be sure, along with the continued incitement and the glorification of murder as martyrdom, there are occasional half-hearted condemnations of terrorist atrocities offered by the Palestinian leadership to placate the international community. But those merely condemn terrorism as a tactic, saying that it is against the interests of the Palestinian people. Were terrorism to be an effective tool, those statements imply, it would presumably be acceptable. We have yet to hear from any Palestinian leader the simple moral truth that deliberately killing the innocent is wrong.

For evidence of that duplicity, one need look no further than the fact that the Palestinian Observer at the United Nations occasionally offers muted criticism of terrorism but, at the same time, considers it unacceptable for a Council resolution to expressly condemn the actions of Hamas, Islamic Jihad and the Al-Aqsa Martyrs Brigade and to call for their dismantlement, as required by the road map.

In short, had there been any concerted action by the Palestinian side to confront and prevent the terrorists — as they have repeatedly undertaken to do — the security fence might not have been necessary. But by deciding to remain passive, and even to support terrorism, the current leadership has built that fence with their own hands.

The second factor that has convinced Israelis of the need to construct the fence has been the scarcity of other options. There are no easy choices. In the horrendous situation that we are faced with, in which terrorists are operating with impunity in the heart of civilian centres, there is no perfect way by which we can obstruct the terrorists without having some impact on the lives of the Palestinians they are hiding among. Trying to find the appropriate balance between the right of Israelis to live without being blown up on buses and in restaurants and the right of Palestinians to live and move freely is a dilemma that Israel, its courts and its citizens anguish over daily.

There is no democracy that has found a perfect solution to the problem of terrorism — especially suicide terrorism, which was invented and perfected by the Palestinians — and most especially when it operates from within a society whose leadership is passively and actively supportive of its goals. Among States facing such a threat, Israel has been among the most successful, preventing over 80 per cent of attempted terrorist attacks. But as the terrorists develop new and even more heinous means of murder, so must we devise better methods of prevention.

The construction of a security fence is one of the most effective non-violent methods of preventing the passage of terrorists and their armaments from the terrorist factories in the heart of Palestinian cities to the heart of civilian areas in Israel. We have seen this in the Gaza Strip, where since the construction of a similar fence, under an Israeli-Palestinian agreement of 1994, not a single terrorist has succeeded in penetrating into Israel from Gaza through the fence in order to execute an attack. That fence garnered no dissent from the Security Council or from the Palestinian side, and has in fact contributed to enhancing the personal security and welfare of Israeli and Palestinian communities on both sides of the fence. Until now there has been a stretch of some 300 kilometres across which Palestinian terrorists have been able to infiltrate Israeli population centres to murder civilians. Between Israel and Palestinian Authority areas there is no border or natural obstacle, and the distance dividing terrorists emanating from Palestinian cities and targeted Israeli population centres has sometimes been less than a ten-minute walk. But in those areas of the West Bank where a fence has been constructed, a reduction in terrorist attacks is already evident.

The third factor supporting the construction of the fence has been the knowledge that it will enable Israel to markedly reduce its involvement in the daily lives of Palestinians. The net effect of the construction of the security fence will be a reduction in terrorism and an overall improvement in the quality of life for both the Israeli and the Palestinian peoples. By building the fence, Israel will be able to significantly reduce the presence of its forces in Palestinian areas and further diminish the necessity for defensive action within Palestinian cities. Importantly, the fence will also enable the removal of roadblocks and checkpoints. The result will be greater freedom of movement within the

West Bank without increasing vulnerability to terrorism.

Moreover, it is hoped that the protection and security that the fence provides will help create an atmosphere conducive to peaceful and fruitful negotiations. The security fence is a crucial measure in taking terrorism out of the equation. When a Palestinian leadership emerges that is ready to negotiate a political solution, the terror weapon will be less available to scuttle the efforts for peace. Could it be that those on the Palestinian side opposing the fence wish to ensure that the terrorist weapon remains a decisive factor in their arsenal? Could it be that the fence is particularly objectionable to extremists in Palestinian society because they see it as thwarting their long-term agenda of seeking Israel's destruction?

In determining the route of the fence, Israel has sought to create a barrier between those areas from which the terrorists originate and those that they seek to target. But along with those security concerns, Israel has taken into consideration other humanitarian and environmental concerns, even at the cost of increasing the risks to its civilians. The rights and interests of local populations must be weighed against the rights of civilians to protection from terrorism. Local Palestinian residents have been engaged and consulted throughout that process, with a view to providing individual solutions and ensuring access to schools, health resources and so on.

The use of public and unused lands has been of the highest priority. In the circumstances where that has been impossible, dozens of agricultural gates have been established along the route of the fence to enable farmers to continue cultivating their lands. In addition, new crossing points have been added for Israeli and Palestinian pedestrians and vehicles, as well as for the transfer of goods.

Any private land used in building the fence is requisitioned for military purposes, in full conformity with the relevant provisions of international humanitarian law and local law that specifically provide for that purpose. Indeed, there are a number of precedents in which other States have made this kind of requisition for security purposes, pursuant to the applicable provisions of international humanitarian law. There is no change whatsoever in the legal status of this territory and it remains the property of the owner. Compensation matching the properties' value is provided for the use of the land and any damage to trees and crops. In addition, owners of agricultural land are also provided with compensation for the full value of their crop yield for as long as the property will need to be used. Farmers who cultivate olive and fruit trees growing within the security fence area can designate a new site to which the trees will be replanted.

All residents have the opportunity to submit objections. In numerous cases, the authorities and the complainants have reached mutual agreement regarding alterations of the path. Complainants whose concerns are not resolved also have the unprecedented opportunity to file a petition directly with the Israeli Supreme Court.

In seeking to divert attention from the fact that the true architects of this fence are the Palestinian leaders who have failed to take any measures against terrorism, Palestinian representatives have used a number of emotive and pejorative terms, which are without foundation.

First, they have termed the fence a "wall", even though they are fully aware that for well over 90 per cent of its length it is a chain-link fence. Those short sections that are actually a solid structure are only in areas where Palestinian terrorists can and have shot at Israeli civilians on roads or in nearby towns. Despite blatant misrepresentations to the contrary, there is no enclosure of the West Bank and no Palestinian town or village is closed off. Passage and movement are guaranteed between Palestinian areas throughout the West Bank and into Israel. And, as I have stated, the fence will enable a reduction of Israeli forces in Palestinian areas, thereby facilitating greater freedom of movement within the West Bank and an overall improvement in the humanitarian situation for the vast majority of Palestinian residents, without enhancing the risks of terrorism.

The use of the term "wall" is a transparent attempt by some to evoke memories of darker days, when solid walls were used by certain States to divide one people and prevent the flight to freedom. The comparison is both false and offensive. This fence seeks to separate two peoples who are in conflict, to prevent suicide bombers from targeting innocent civilians and thus to create a terror-free environment in which finally we can move towards a peaceful settlement, which is itself founded on the concept of separation between the Israeli and Palestinian peoples.

Secondly, they have charged that the construction of the fence is racist, though what is really racism is their suggestion that one people does not have the right to protection from murderers. What is really racism is the mistreatment and persecution of Jews in Arab lands, the prohibition of entry imposed upon Jews in certain Arab countries, and the prohibition of the sale of property to Jews on punishment of death. To build a fence in order to provide security for the Jewish and Arab citizens of Israel and ultimately to advance the vision of peace between two peoples, Israeli and Palestinian, is anything but racism.

Thirdly and above all, they have charged that the fence is an act of de facto annexation and an attempt to prejudice final-status negotiations, as though it were Israel and not the Palestinian leadership that walked out of those negotiations and adopted the path of violence. The Israeli Government has repeatedly made clear, and I reiterate again today, that the fence has no political significance. Israel remains committed to resolving all aspects of the conflict, including the final status of the West Bank and Gaza, through political negotiations. The sole purpose of the fence is to protect the vital security of Israeli citizens targeted by Palestinian terrorism. It does not annex territories to the State of Israel nor does it change the status of the land, its ownership or the legal status of the residents of these areas. The Palestinian observer's accusations in this regard are belied by the fact that certain sections of the fence, for example near Modiin and Kibbutz Maale Hachamisha, are actually being built within sovereign Israeli territory.

In fact, not only has Israel repeatedly asserted that there is no political significance to this fence; we have demonstrated in practice and articulated in negotiations that Israel is ready and able, at tremendous cost, to adjust or dismantle a fence if so required as part of a political settlement. In the context of its withdrawal from Southern Lebanon in May 2000, Israel moved a similar structure in order to comply with Security Council resolution 425 (1978). After having adjusted the fence, Israel moved portions of it a further 95 centimetres, at a cost of millions of dollars, to respond to requests by the Secretary-General. Similarly, in the context of permanent-status negotiations, Israel expressed a willingness to adjust the fence established in Gaza as part of the permanent territorial settlement.

In both cases, Israel has proven that security fences are security fences. This fence is intended to counter terrorism of the most brutal kind, not to dictate a border that is and remains the subject of permanent-status negotiations. It is our hope that, by our building this fence, its very function will become irrelevant and that one day it will be dismantled.

It has been suggested that, in order to avoid the impression of having a political motive, Israel should have constructed the fence along the so-called Green Line. On the practical level, a fence along the Line would create far greater humanitarian problems, arbitrarily dividing certain villages and separating others from access to water and other basic services on a large scale. Moreover, it would ignore the aim of the fence, which is to frustrate acts of terrorism directed against Israeli population centres. It is the terrorists who, by their murderous attacks, have dictated the route, which seeks to protect as many civilians as possible while seeking to minimize humanitarian and environmental hardship.

Of equal importance, the so-called Green Line has never represented an international boundary. The 1949 armistice agreements specifically refer to that fact. There was never a recognized and legitimate sovereign in the West Bank. The legal status of these areas remains that of disputed territory to be resolved through negotiations. It is this that is required by Security Council resolutions 242 (1967) and 338 (1973), which call for the parties to start negotiations, inter alia, on secure and recognized boundaries, and agreements reached between the parties specifically refer to the need for there to be direct negotiations to resolve this issue.

When the familiar rhetoric and misrepresentations of the Palestinian observer are peeled away, the simple truth is revealed. The fence is a response to Palestinian terror, designed not to establish a border, but to create a terror-free environment in which a border can be agreed through negotiations. Many Palestinians who oppose the fence simply want to continue killing Israelis. The Israelis who built the fence simply want to live.

Much has been said of the need to conduct the war against terrorism in accordance with international law. We agree, but international law is not a suicide pact. International law recognizes that the measure of the legitimacy of a State's actions is whether such

action is proportionate to the threat. This means assessing the threat according to those attacks planned and prevented, not just those that have succeeded. In Israel's case, this has meant considering not just the hundreds of civilians killed in terrorist attacks, but those many hundreds of attacks successfully thwarted, including mega-terror attacks planned against skyscrapers, gas depots, fuel tankers and bridges.

International humanitarian law specifically allows for territory to be requisitioned for security purposes. Some who speak of international law seem to have forgotten that there is in place a significant body of established laws that provide support for the confrontation against terrorism. They also seem to have forgotten that in fighting terrorists we fight an enemy that has no respect for life or for law. Yes, we must respect the rule of law. But we cannot do so by applying misconceived or blinkered interpretations that no enlightened nation would apply to itself if faced with such sustained attack and that effectively strengthen the hands of those devoted to trampling the law as they trample innocent lives.

Israel has no problem being — indeed, it is proud to be — held to the highest standards. But at least let us be permitted to value the lives of our civilians in the way that any other democratic country would. If the Council decides to call us to account, then surely some of our neighbours should be the focus of equal attention. If the Council were to devote only a fraction of the time and resources it has spent considering Israel's record to a fair examination of the destabilizing and dangerous conduct of the rogue regimes in our neighbourhood, does anyone doubt the conclusions that would be drawn? If the United Nations voice is to be taken seriously, this selective treatment must end.

Israel yearns for peace, and has proved that it is willing to make the most painful compromises to that end. We will continue to pursue every opportunity for a peaceful settlement, with a view to realizing President Bush's vision and the relevant Council resolutions. But no State can allow its citizens to be murdered in the hundreds by terrorists, with the support and tolerance of the current Palestinian leadership, which has virtually ceased to even masquerade as a peace partner. The fence is to protect against terrorism, improve the overall humanitarian situation on both sides and contribute to an atmosphere in which peace negotiations can proceed for the benefit of both peoples.

This conflict, and this debate, is not just about Palestinian rights. It is about Israeli rights as well. Dead, injured and terrorized Israelis are also a humanitarian problem, and until our neighbours and the international community are willing to seriously accept that fact and deal with it, we will have difficulty advancing towards a peaceful solution. It is just not enough for condemnations and expressions of sympathy to be issued in capitals or in United Nations speeches on the day an attack takes place, without the sustained action and public support needed to demonstrate that the international community will not tolerate the deliberate murder of innocent civilians.

Those in the Palestinian leadership that have turned Palestinian victimhood from a condition that could be resolved by peaceful settlement into a political strategy of immortalization in the pursuit of personal power have a great deal to answer for. We do the peace process no service by reinforcing a sense of entitlement without affirming a sense of responsibility.

The road map can never succeed if we absolve the Palestinian side of its obligations to end its morally bankrupt and profoundly destructive terrorist strategy. The security fence, like other Israeli defensive measures, is a product of that strategy. And it is the abandonment of that strategy that would obviate the need for such defence measures, including the security fence itself, and pave the way for peaceful negotiations based on mutual recognition and mutual compromise.

If we confuse cause and effect, if we apply justice selectively, and if we pander to more one-sided initiatives that assert sweeping rights but ignore well-founded responsibilities, we will only encourage a strategy of terrorism and push the day of peace further into the future.

Before concluding, I would like to ask representatives and colleagues to pause for a moment before deciding how to respond to this issue, and think of the lives that can be saved by the security fence, and the lives that could have been saved had it been constructed earlier. I would like them to think of the Almog family — Zeev Almog, aged 71; his wife, Ruth, aged 70; their son, Moshe, aged 43; and their grandsons, Tomer and Asaf, aged nine and 11 — a whole family, three generations, wiped out, all murdered, together with 15 other innocent victims, at the Maxime restaurant in Haifa last week. I put it to them: "Imagine if they were your children, and ask

yourself what would you expect your Government to do to protect them? Would you not do anything — literally anything — to save them?"

Mr. Mekdad (Syrian Arab Republic) (*spoke in Arabic*): The Security Council is meeting for the third time in less than a month to discuss the illegal practices of the Israeli occupation. Today, we are discussing in particular the recent decision of the Israeli Government to begin work on the second phase of what it refers to as the separation fence.

We have just listened to the statement of the representative of the Government of occupation and terrorism — the Israeli Government. We were not, of course, surprised that the statement contained many lies and allegations. His comments are only part of a campaign to distort reality and mislead international public opinion — a campaign that has been going on for more than 55 years. The fact that he did not say a word about where the wall is being built is proof that his comments are mere allegations. Incidentally, it is being built on the occupied Palestinian territories — perhaps the representative of Israel is not aware of that fact. He did not say in his statement that Israel has, de facto, annexed land, that the wall has been built on territory that is under dispute, or that that had been done by means of fait accompli and the logic of force alone. What are referred to as the disputed territories are the remains of the Palestinian territories. Israel wants to take control of what is left of the Palestinian territories by using that particular logic.

Those who know Israel are well aware that this method is not unusual. It comes as no surprise to us that the occupation Government, which by law prevents its citizens from learning the truth about its practices in the occupied territories, is attempting to mislead international public opinion concerning its real objectives and true intentions. The current Government is following the notorious method of the infamous Goebbels: lie, lie and lie again, until others come to believe what you are saying. Unfortunately for the rulers of Israel, the world will not continue to believe their lies. One day it will learn the truth — with the exception of a small minority, who at some point in the future will discover that they have been on the wrong side.

Israel's objective in building its racist, expansionist wall, is not, as it claims, to protect its security. Rather, the wall is being built to achieve the following objectives. First, the route traced by the wall is far removed from the borders of the territories occupied since 1967, penetrating deep into Palestinian territories. This reveals the Israeli Government's real intention: to create facts on the ground allowing them to set borders as they wish, thus placing the Palestinian people in large bantustans and isolating them. That would make it impossible to achieve the objective of the peace process with the Palestinians which is: to establish a Palestinian State in the territories occupied since 1967, with East Jerusalem as its capital.

Secondly, by building the wall, Israel is in fact annexing vast expanses of the territories of the West Bank, thus violating one of the foremost principles of international law: the acquisition of others' territory by force is inadmissible. Therefore, Israel's acts violate resolution 242 (1967), which provides the foundation for the Middle East peace process.

Thirdly, the route traced by the wall clearly reveals that Israel aims to consolidate its annexation of occupied Jerusalem, in flagrant violation of resolution 478 (1980), which holds Israel's annexation of eastern Jerusalem to be null and void.

Fourthly, Israel plans to enclose within the wall large settlements established in occupied Palestinian territories, containing more than 200,000 settlers. Thus, Israel is not only violating the Fourth Geneva Convention by building those settlements but goes even further by annexing those settlements to Israel. That was demonstrated very clearly by the Israeli Government's recent decision for the wall to enclose the "Ariel" settlement, which was established 22 kilometres into the occupied Palestinian territories. Those actions are, in fact, war crimes under the Fourth Geneva Convention and its Additional Protocol 1. Therefore, Israel should be deterred from continuing and no legal or political legitimacy should be granted to its actions.

It can be seen from the aforementioned that the present Israeli Government, led by General Sharon, who is well known as an enemy of peace, is merely a war Government aiming to put an end to the peace process and any real chance of implementing it. Israel, which attempts to justify its actions by claiming it is combating terrorism, is in fact perpetrating war crimes and terrorism against the civilian Palestinian population, men, women and children, as they build their expansionist wall as part of their policy of settler

colonialism. Israel is even exporting its crises through aggression against Syria and Lebanon. The campaign against terrorism is greatly harmed by the fact that Israel is exploiting that campaign in order to conceal its objectives and to divert attention from its acts of expansion and aggression. If Israel's killings of dozens of Palestinians in the last two days and the destruction of more than 20 homes — as has been recognized by United Nations agencies — is not terrorism, then what is?

The Security Council, the principal body entrusted with maintaining international peace and security, is called upon to shoulder its responsibilities in the face of Israel's criminal practices. The Council must condemn Israel clearly and unequivocally. It must deter Israel and make it clear to it that its settlements, colonialism, the annexation of the occupied Palestinian territories through the expansionist wall's construction, to consolidate the annexation of occupied East Jerusalem, and its aggressions against Syria and Lebanon are illegitimate acts constituting a flagrant violation of the United Nations Charter and the principles of international law, international humanitarian law and the numerous resolutions adopted by the Security Council, including the resolutions on which the Middle East peace process are founded. The Council's failure to shoulder its responsibility would have a negative impact on its credibility and would further exacerbate the situation in the region, bringing dire and uncontrollable consequences and distancing us from the objectives on which the entire world has agreed: to bring just and comprehensive peace to the region.

Finally, through Syria, the Arab Group has last Friday submitted a balanced draft resolution that took the concerns of the Security Council into consideration and we hope that it will be put to the vote at the conclusion of this open debate.

Sir Emyr Jones Parry (United Kingdom): The United Kingdom is gravely concerned about the prospects for peace in the Middle East. It is vital that both sides realize exactly how much is now at stake. The United Kingdom is committed to the Quartet's road map as the best way ahead to implement the vision of two States, living side by side in peace and security. It is essential that the two sides implement the obligations contained in the road map.

To that end, the United Kingdom supports the Palestinian efforts to form a stable and empowered Government which can be a genuine and unconstrained partner for peace. Prime Minister Qurei is a long-standing supporter of the cause of peace. It is imperative that his new Government acts decisively to tackle the scourge of terrorism, including by unifying control over the Palestinian security apparatus. And in parallel, the domestic reform process must continue. The rest of the world will judge the Palestinian Authority by the results it achieves.

The United Kingdom has consistently condemned the morally repugnant and intolerable suicide bombings that Israel has suffered. We unreservedly condemn the acts perpetrated by Hamas, Palestinian Islamic Jihad and the Al-Aqsa Martyrs Brigade. Their tragic impact has been all too obvious. We recognize, in return, Israel's need to take security measures against the real threat of terrorism which it faces. The United Kingdom Government has always defended Israel's right, acting, consistent with international law, to protect its citizens. But disproportionate use of force by the Israel Defence Forces only fuels the cycle of violence.

At a time when the international consensus on a two-State solution is firm, it is alarming that the practical basis for this is in jeopardy. We are therefore deeply concerned about the route of Israel's fence that is being planned and built inside the occupied territories. Normally, one does not build walls on someone else's land. So, any such wall should be built on the green line or in Israeli territory.

But more important is the impact of the wall. The separation wall undermines the trust between the parties that is necessary for negotiations. It has a negative impact on the daily lives of Palestinians and it calls into question the two-State solution. We are particularly alarmed by Israel's issuing of a military order declaring the land between the fence and the Green Line a closed zone, where Palestinian residents must apply for permits to remain in their own villages.

Facts on the ground created by Israeli settlement activity also threaten the viability of a Palestinian State and make the possibility of a negotiated settlement more difficult to reach. The humanitarian and economic consequences of closures and curfews on the Palestinian people result in hardship and unemployment and only fuel hatred and violence. Palestinian people need to see a real improvement in

their lives on the ground. That is why the United Kingdom believes that the international community has a direct stake in the peace process. A continuing, strong international commitment to the road map-based process is imperative. A strong and determined Quartet can play a vital role, closely following road map implementation through reports of monitors and making an extra effort where it detects problems or deficiencies.

But, ultimately, Israel's security can only be achieved through a just and lasting settlement negotiated between the parties. A Palestinian State will not be created by acts of terrorism. The road map offers the region the best opportunity for peace. In that context, we look to both the Israelis and the Palestinians to move forward in implementing their obligations under the first phase.

The task is to create a virtuous cycle. On the Palestinians' part that means stopping the terrorists and meeting the obligations of the road map, especially in terms of the commitment to tackle the sources of and those perpetrating terrorism. For the Government of Israel, in parallel, it means a move on settlements, the fence, freedom of movement and an end to extrajudicial killings. The United Kingdom, for its part, stands ready to help in that process.

Mr. Arias (Spain) (*spoke in Spanish*): The purpose of this meeting is to examine the seriousness and the implications of the construction by Israel of what is being called the wall.

The search for a solution to the Middle East conflict requires the creation of the requisite climate of trust between the parties, which will enable them to emerge from the spiral of violence. We must state that the construction of the wall in the West Bank does not help create that atmosphere. Indeed, the route of the wall creates problems for the vision of peace between Israelis and Palestinians based on two States living in peace and security. The international community has always called on the parties not to change the situation on the ground. Spain reiterates that.

We also cannot forget the problems created by this measure, adopted by the Government of Israel, in terms of international law and humanitarian law. Regarding the latter point, we must note that this measure and its impact, particularly in terms of complicating land issues, is already directly affecting the Palestinian civilian population and particularly their movement, thus deepening the terrible humanitarian crisis in the Palestinian territories.

My delegation has often spoken against terrorism. It has condemned here the recent attacks on the Israeli population. Nothing justifies, nor can justify, the recent attacks in the area, but that cannot divert us from the basic matter before us today — the construction of the wall in the Palestinian territories — I underscore, in the Palestinian territories — and the confiscation of land or the demolition of houses. Those are all illegal activities. What is worse is that, as I said at the beginning, they are activities that are increasingly harmful to any effort to bring peace to the region.

Mr. Tafrov (Bulgaria) (*spoke in French*): Like other preceding speakers, my delegation is extremely disturbed by the extremely serious situation in the Middle East. Bulgaria agrees with the analysis of the situation, contained in recent documents by the European Union.

We have said here and elsewhere that our country strongly condemns suicide bombings, which continue to be carried out by members of extremist Palestinian organizations. We launch an appeal to the Palestinian Authority to take firm and specific steps to disarm terrorist organizations and to dismantle their structures. We also appeal to Israel to stop resorting to punitive measures, including extrajudicial killings, and to act in keeping with international law.

Bulgaria strongly opposes Israel's construction of what is called a security wall, with a route that is different than the 1949 green line of demarcation. Construction of this wall sometimes involves confiscating Palestinian land, blocks the free movement of people and goods, and undermines the Palestinians' hopes for the peace process and the road map. For Bulgaria, the wall is unacceptable.

Bulgaria is convinced that the road map alone is the answer to the problems of the Middle East. Both parties must do their utmost to overcome their differences, to resume their contacts and to continue joint efforts to create two States living within internationally recognized boundaries, as provided for by Security Council resolutions.

At the same time, we believe that the problem of the construction of the security wall is part of a complex situation related to security.

Therefore, we believe that condemning specific aspects of this overall picture in the Middle East is not able to make a practical contribution to efforts to resume the peace process and implement the road map.

Bulgaria believes that it is necessary for the entire international community, and in particular the members of the Quartet, to convince both parties to implement the road map. At that point, there would no longer be any reason to build the wall, and prospects for a peaceful resolution would increase.

Mr. Lavrov (Russian Federation) (*spoke in Russian*): The Russian leadership is seriously concerned by the course of events in the Middle East. Palestinian-Israeli relations are growing ever more tense. Recently, a real danger of the expansion of the geographic framework of confrontation has emerged, threatening to draw other countries into it. All of this can lead to even more tragic consequences for the already strained circumstances in the region and international security as a whole.

Russia firmly condemns terrorism in all of its forms and manifestations. We call upon the leaders of the Palestinian Authority to make every effort to put an end to terrorist acts against the civilian population of Israel. Terrorism is obstructing a solution to the objective of providing security for Israel and undermining the prospects for the establishment of a Palestinian State.

We are convinced that an important component for the exit strategy from the confrontation is the cessation of unilateral steps by the leadership of Israel. The unlawful settlement activity on the Palestinian territories and the construction of the so-called separation wall, which has resulted in the seizure of Palestinian lands, must be immediately halted. Such actions run counter to the concept of the establishment of two independent States, Palestine and Israel.

Both the Palestinians and the Israelis must reject actions that contradict the spirit and letter of the road map of the Quartet of international mediators. We are all convinced it is precisely this document, adopted by both sides, that is a unique and sole basis for achieving a Middle East settlement. By the way, President Putin brought this matter up today in a telephone conversation with Prime Minister Ariel Sharon.

We believe that if the road map is not made binding in nature, it may remain on paper and the region will ultimately be swept up in a wave of violence. This is why, during the meeting of the Quartet in New York this September, the Minister for Foreign Affairs of Russia, Igor Ivanov, put forward an initiative for the adoption of a special Security Council resolution that would approve the road map. This proposal not only remains valid, it is becoming ever more urgent.

We also believe that it is necessary to establish an international monitoring mechanism to strengthen oversight over the implementation by the parties of their mutual obligations. There is also the need to consider the possibility of holding an international conference on the Middle East, which would make it possible to work out a formula for a comprehensive regional settlement. These Russian proposals have one objective: to stop the spiral of violence and open prospects for peaceful development in the Middle East.

Mr. Aguilar Zinser (Mexico) (*spoke in Spanish*): On other occasions in which the Security Council discussed the issue of Israel and Palestine, my country began its statements with condemnation in the strongest terms of the terrorist attacks that claimed innocent civilian victims in Israel. At this meeting, my delegation regrets that we must begin our statement by also condemning in strong terms the destruction of the Rafah camp in the Gaza Strip by segments of the Israeli armed forces. Israel has no valid justification for making innocent people living in the Palestinian territories victims of their reprisals.

Israel is entitled to demand and have secure borders. It also has the right to take steps to protect its people from terrorist attacks. However, the methods and procedures through which Israel is achieving these legitimate objectives are contrary to international law and therefore illegitimate. They run counter to commitments made by the Israeli authorities, particularly those recently agreed on under the Quartet peace plan, which was supposed to manage efforts to ease tensions in the region. These measures thus contribute to exacerbating the climate of confrontation and the vicious cycle, which adds to the insecurity in Israel.

My country considers that the critical road map published last 30 April is an instrument that should promote the peace process and govern the conduct of both Israel and the Palestinian authorities. This map provides for actions and mutual concessions.

Unfortunately, it does not provide for any machinery to oblige the parties to comply with it.

But one clear obligation on the parties in the peace process is to refrain from building walls that make the life of Palestinians more difficult and make the peace process even more remote. We think that building a separation wall within Palestinian territory is unjustified. Despite the promises that it will be temporary in nature, it is greatly aggravating the high levels of tension in this conflict.

My delegation therefore considers that it is appropriate and timely for the Security Council to express its views on this item through a resolution. The wall repeatedly strays from the demarcation line established after 1948 between the Israeli and Palestinian territories. It has a very serious impact on the residents and their capacity to exercise their basic fundamental rights. Independent non-governmental groups such as Human Rights Watch consider the construction of the wall to be a very significant obstacle to the peace process and an action that aggravates the situation in Palestine and imposes severe restrictions on the exercise of the human rights of Palestinians themselves.

We therefore believe that the State of Israel must halt construction of this wall and avoid any action in Palestinian territory that cannot be justified on the basis of their legitimate right to secure borders or to prevent any terrorist acts on their own territory.

Mr. Maquieira (Chile) (*spoke in Spanish*): The Security Council has been convened to analyse the problem of the construction of the separation wall by the Israelis in Palestinian territory. This is part and parcel of the broader situation in the Middle East, which recently began a new stage with the road map, which seemed to be a means for moving towards peace and reconciliation in the region. However, the implementation of the road map seems to have encountered a crisis; it is made very difficult because of the extrajudicial killings, the destruction of homes, the constant arbitrary restrictions on, and displacement of, the Palestinian population and the recent building of new settlements in territories occupied by Israel.

We have condemned, and continued to condemn, terrorist bomb attacks against Israeli civilians, but nothing can justify the use of excessive force or the imposition of conditions that would seriously hinder the creation of a Palestinian State.

With regard to the matters before us, we would like to see a process that would bring about the minimal conditions for dialogue between the parties, with the cessation of terrorism and violence, a halt to the building of settlements in the occupied territories and the destruction of the separation wall that is being built in Palestinian territory, which divides villages and towns.

We strongly condemn the construction of this security wall — or separation wall. It is an insurmountable obstacle to finding a just and lasting solution to the Israeli-Palestinian problem. It not only flies in the face of what was decided in the road map and in Security Council resolutions, but also flouts the basic principles of international law. It makes it impossible to establish a Palestinian State and throws into serious doubt the seriousness of the negotiation process and any work to bring both States to a life, side by side, within secure and recognized borders.

The Chilean delegation considers that the Security Council must express its views on the situation and make a strong appeal, through a resolution, for the cessation of the building of the separation wall and the dismantling of what has been built thus far. Accordingly, Chile supports the text before us.

Mr. Sow (Guinea) (*spoke in French*): Since our last public debate on the situation in the Middle East, the Israeli-Palestinian crisis has become even more distressing and tragic. The cycle of violence is intensifying and the climate of mutual mistrust seems to dominate the relationship between the parties. This new period, characterized by a heightening of tension, is particularly critical, resulting in a greater deterioration of the situation on the ground and gradually moving the players farther away from the path of peace.

In such a context, the stated will of the Israeli Government to press forward with the building of the separation wall is a source of serious concern for my delegation. There should be no doubt that this illegal measure, taken in the name of security, will reinforce the feelings of frustration and hate of the put-upon Palestinian populations. It inevitably leads to a deepening in the lack of understanding between the two parties and imperils the very core of the peace process, namely, the road map of the Quartet, which has been so

carefully negotiated and whose implementation has barely begun.

Through their dogged insistence on establishing a barrier between populations whom nothing can separate and who are fated by history to live in harmony, the Israeli authorities have chosen the worst security option. Clearly, the separation wall, whose route cuts seriously and deeply into Palestinian territories, is a pernicious way to continue and expand the settlement of occupied territories and to deprive the Palestinian people of a territorial element that is essential to the full exercise of its sovereignty. In addition, it is the expression of a policy known as "bantustanization", whose objective is to create enclaves that are not viable, denying any freedom of movement to the Palestinian people and reserving the most fertile and most productive lands for the occupier.

This enterprise is doomed to failure, being counter to elementary standards of international law, human rights and humanitarian law. It is ultimately aimed at undermining the very basis of the peace process in the Middle East. It runs counter to the vision of two States, Palestinian and Israeli, living side by side within safe and internationally recognized borders. It is one of the most eloquent manifestations of the denial to the Palestinian people of the exercise of their right to full sovereignty within the framework of an independent, free and viable State.

When the continuation of a deliberate policy of settlements is added to this list, my delegation cannot but deplore the fact that the Israeli Government is dragging the Middle East into lasting instability. We accordingly reiterate our unequivocal condemnation of the building of the separation wall, which, contrary to the position taken by Israel, will not satisfy its legitimate need for security, since it can only lead to a deepening of the gulf between Israelis and Palestinians and to the annihilation of the numerous peace efforts.

We therefore once again urge the Israeli authorities to demonstrate common sense by ending this deplorable practice, which can only do their interests a disservice, and to restore to the Palestinian people the territories arbitrarily confiscated from them, thus showing a greater readiness to contribute to a just and lasting solution to the crisis in the Middle East.

The draft resolution introduced by the Arab Group, of which we are sponsors, calling for the dismantling of the separation wall deserves the support of our Council. Its speedy adoption, which we ardently desire, will show the will of the international community to put an end to a policy which runs counter to the objectives laid out by the Quartet's road map.

In conclusion, my delegation recalls that there is only one way to re-establish mutual confidence and dialogue, and once again find the way to peace in the Middle East: clear and binding implementation of the road map, with the firm and determined support of the international community.

Mr. de La Sablière (France) (*spoke in French*): At the outset, I recall that France associates itself with the statement which will be made by the presidency of the European Union.

The building of a separation wall, which deviates from the Green Line and encroaches on the occupied Palestinian territories, together with the continuation of the establishment of settlements in the occupied territories, is an issue of vital importance for the future of the settlement of the Israeli-Palestinian conflict.

What is at stake is historic — nothing less than the possibility of a negotiated settlement on the basis of two States — Israel and a viable Palestinian State — living in peace and security, within secure and recognized borders.

What is at stake is the very idea of a peace process based on the principles enshrined by the international community in resolutions 242 (1967), 338 (1973) and 1397 (2002) — the principle of land for peace, which was given concrete expression in the road map of the Quartet, which was accepted by the two parties at the Aqaba Summit on 4 June last.

With such high stakes, it seems to us legitimate and critical for the international community, through the Security Council, to respond, recall the rule of law, and show the parties the way to be followed.

France has publicly indicated its opposition to the construction of the separation wall following a route that cuts into the occupied Palestinian territories and deviates from the Green Line, as it has indicated its opposition to the settlement activities in the occupied Palestinian territories, and this for at least three reasons.

First, construction of the wall following the route chosen is illegal in terms of international law and cannot be justified in terms of the war on terrorism.

France recognizes Israel's inalienable right to security, its right to self-defence and its right to combat terrorist attacks, which are totally condemnable, morally odious and which no cause can justify. However, the struggle against terrorism cannot justify everything and must be carried out with respect for the law.

What can be criticized from a legal perspective regarding the building of the separation wall is not so much the wall itself as the route chosen by the Israeli Government. That route broadly cuts into the territories occupied in 1967 and opens the way to the confiscation of Palestinian territories, thus contravening international humanitarian law and in particular the Fourth Geneva Convention, as well as the agreements signed between Israelis and Palestinians.

This is all the more true of the second segment of the wall, which is closely following the location of settlements — and in particular of Ariel — which are clearly illegal. The permanent nature of the wall means that the territories between the wall and the Green Line will be de facto incorporated by Israel and under its control.

Moreover, the inadmissible nature of the acquisition of territory by force is a fundamental principle of Security Council resolution 242 (1967), on which the peace process is based.

In East Jerusalem, the construction of the wall calls into question once again a fundamental principle of the peace process, which should allow the city to become the capital of two independent States and which should preserve the specific status of the holy places.

Today the construction of the security wall on the Mount of Olives directly threatens the property and gardens of several charitable religious congregations. I would recall here the importance to France of ensuring free access to the holy sites of Jerusalem and Bethlehem.

Secondly, construction of the wall following the chosen route has inadmissible humanitarian consequences. The wall is a physical barrier which gravely hampers the movement of persons and of goods, separates families and cuts off numerous Palestinians from their agricultural lands, thereby depriving them of their livelihood.

According to various estimates, the lives of more than 200,000 Palestinians will be directly affected by the construction of the wall. Several thousand people will find themselves trapped between the wall and the Green Line. Life in general and the humanitarian situation in the Palestinian territories, which are a source of great concern, can only further deteriorate — let alone the offence to human dignity represented by the creation of a quasi-ghetto, as is the case in Qalqilya.

Thirdly, the construction of the wall runs counter to the road map and is likely seriously to jeopardize the future of the peace process and of a negotiated solution between Israelis and Palestinians, which can be conceived only based on the 1967 borders and a viable Palestinian State.

The construction of the wall directly contravenes the road map, which expressly demands that the Israeli Government not undertake any action that would undermine confidence, in particular the confiscation of Palestinian houses and property.

This will be a permanent structure that will permanently change geographic and demographic data. The building of the wall can only encourage the development of settlements and aggravate the already serious problems that these are causing.

What Israeli leader would dare in future to dismantle the settlements in the interests of a necessary peace with the Palestinians, if they have developed in the shadow of a security barrier? The price of peace for Israel will then be considerably higher.

The planned route, if indeed followed, prejudges the borders of the future Palestinian State. The continued building of a wall of separation following a route that departs from the Green Line would de facto indicate that Israel no longer recognizes resolution 242 (1967) as an essential basis for negotiations with the Palestinians.

There cannot be peace without mutual recognition by each of the parties of their territorial rights. The route also seriously damages the viability of a future Palestinian State, which would be likely to find itself reduced to a collection of isolated enclaves.

What Palestinian leader could make his people agree to peace without the assurance of the creation of an independent and viable State, which is predicated on territorial continuity?

To thus so seriously and permanently jeopardize the opportunity for a negotiated settlement to the conflict is in no one's interest. In such conditions, we believe that it is the responsibility of the Security Council to respond through the adoption of a draft resolution showing its opposition to the building of the wall following the route selected — a route that is illegal in terms of international law and whose humanitarian and political consequences are extremely serious and inadmissible.

Security and peace, moreover, go hand in hand. France reaffirms its conviction that only a just and negotiated solution to the conflict, leading to the end of the occupation of 1967 and to the creation, side by side with Israel, of a viable Palestinian State, will provide Israel that security to which all Israelis have an inalienable right.

It is on this path that the two parties embarked in accepting the road map during the Aqaba Summit on 4 June last. They must stay on this path. France calls on the parties immediately to fulfil their reciprocal and parallel obligations within the framework of the road map. France is convinced that the international community, in particular through the Quartet, has a key role to play to contribute to the advent of peace. We must press on.

The time has come to hold an international conference and to establish in the field a credible third-party monitoring mechanism. There is a need to take risks that will lead to peace in the Middle East; it is our collective duty to act.

Mr. Pleuger (Germany): I wish to thank you, Mr. President, for having convened this important meeting. Given the latest developments in the region, it is my view that it is timely to have an open debate in the Security Council on the situation in the Middle East. I therefore welcome the opportunity to share views on the issue with Council members as well as with all other interested delegations.

I would like to point out that I associate myself with the statement that will be made by the Italian presidency of the European Union at a later stage of the meeting.

Germany deplores the recent surge in violence between Israelis and Palestinians. We must not allow this bloodshed to undermine the implementation of the road map, which we still consider to be the relevant document for a just and lasting peace in the region.

We call upon both the Israeli and Palestinian Governments to refrain from any action that might endanger the two-State solution, as laid out in the road map.

Thus Germany urges the Government of Israel to halt its continuing settlement activities and stop the construction of the so-called security fence. While recognizing Israel's need for security, we consider the security fence to be detrimental to the implementation of the road map. We believe that the fence might become an obstacle to the peaceful resolution of the conflict and the establishment of a viable Palestinian state, living alongside Israel in peace and security. The path of the Israeli fence departs from the Green Line, cutting deep into Palestinian land, sometimes on the basis of the confiscation of land. All of that entails serious humanitarian and economic consequences for the Palestinian population.

At the same time, we urge the Palestinian Authority to take all necessary measures to end violence and terror by militant groups against Israeli targets. The suicide bombing in Haifa, which took the lives of many innocent civilians, has shown that the Palestinian leadership must do its utmost to prevent such atrocities. Germany calls on the new emergency cabinet of Prime Minister Ahmed Qureia to crack down on violent groups and to dismantle the terrorist infrastructure.

The members of the Quartet continue to back the road map for peace as accepted by both sides at the Aqaba summit, held on 4 June 2003. We call upon both the Israeli and Palestinian Governments to continue to implement the road map in good faith, because we feel there is no alternative to the road map as the way to peace.

Mr. Wang Guangya (China) (*spoke in Chinese*): The Chinese delegation supports the Arab Group's request to hold an emergency Security Council meeting. Like the majority of countries, we strongly deplore the fact that the Israeli Government has decided to continue to build a separation wall and expand settlements. Israel's actions are not acceptable. As an occupying Power, Israel must abide strictly by

international law, including the Fourth Geneva Convention.

The root cause of the situation in the Middle East is Israel's occupation of Arab lands. Israel's building of a separation wall, in violation of international law, will not bring true security for Israel; it will only lead to more violence and hamper efforts aimed at achieving peace between Israelis and Palestinians.

The current situation in the Middle East is deeply troubling. The peace process is once again at a crossroads. The question of how we can break out of this impasse deserves our serious consideration. The urgent task at hand is to break, as soon as possible, the vicious circle of using violence against violence, and both the Israelis and the Palestinians must make efforts to that end. Israel must stop building the separation wall and stop expanding settlements; end its policy of targeted killings; stop its sieges and blockades against Palestinians; respect the Palestinian people's basic rights; and take measures to improve the humanitarian situation of the Palestinians.

The Palestinians must also take effective measures. They must halt suicide bombings against civilians. Suicide bombings do not help the Palestinian people's just cause of recovering their occupied lands and establishing an independent State as soon as possible.

The history of the situation in the Middle East demonstrates that using violence against violence is not the way out; hope lies only in dialogue and negotiations. We hope that both Palestinians and Israelis will face reality and consider their long-term interests and the bigger picture. They must take bold steps to create conditions for a return to negotiations and for continued implementation of the road map.

In order to break the vicious circle of using violence against violence, the Quartet must shoulder its responsibilities. At the same time, the rest of the international community must employ creative efforts. In the general debate at the current session of the General Assembly, a number of countries have proposed the deployment of an international protection force between the Israelis and the Palestinians, other countries suggested that the Security Council dispatch a fact-finding mission; and still others advocated the holding of an international conference on the situation in the Middle East. All those suggestions deserve our serious consideration. The United Nations can and must play a greater role in helping the Israelis and the Palestinians to achieve peace.

China, as a permanent member of the Security Council, is willing to join the rest of the international community in helping to promote the process aimed at a peaceful settlement of the situation in the Middle East.

Mr. Gaspar Martins (Angola): I should like to thank you, Mr. President, for convening this Security Council meeting at the request of the Arab Group. The situation on the ground clearly justifies this meeting. The issue under consideration is certainly one of the most sensitive that the international community is called upon to consider and take a stand on.

My country has always maintained good, friendly relations with the Arab world, based on the principles of solidarity and mutual understanding. We have also expressed our support for the Palestinian people and have consistently reaffirmed their inalienable right to self-determination and statehood. On the other hand, my country, the Republic of Angola, has established good, friendly relations with the State of Israel — relations that we hope to see strengthened and made mutually advantageous to our countries and peoples.

It is therefore with a sense of profound grief that we witness the ongoing conflict between two peoples who have made outstanding contributions to the world's civilization. The issue is where, when and how to break this fatal linkage, the cause of daily loss of life and untold suffering for both peoples. On the ground, we witness a state of affairs that is absolutely contrary to the wishes of the international community and of all those who strive to bring about a new era in Israeli-Palestinian relations.

To us, the separation wall seems the most conspicuous initiative in such a state of affairs, an initiative likely to jeopardize all the efforts by the international community with a view to settling the Israeli-Palestinian conflict and bringing a just and lasting peace to the region. In the long run, the wall — like identical ones built in the past to divide peoples — is doomed to fail and to fall.

The building of the wall in the West Bank has translated into a state of fear that assuredly will not lead to positive results. Fear is always a very nasty adviser, and it is an artificial solution to the problems Israel faces. Instead of solving the problems it was

intended to solve, the wall will only create new, unresolved ones. The separation wall is doomed to create a situation that will definitely jeopardize all prospects for peace as well as the vision, so eloquently spelled out, of two peoples and countries living side by side in peace and security. We deem it essential that Israel be persuaded that its security will be better ensured in the long run by genuine gestures of peace than by walls of separation.

The last meeting of the Quartet, held in New York on 26 September, was very clear on its position. While recognizing Israel's legitimate right to self-defense, it called on Israel to put an end to the collective punishment of the Palestinian population while noting with great concern, the building of Israel's West Bank fence, a real euphemism for the separation wall we are discussing.

The Quartet recalled its direct consequences on the daily lives of the Palestinian people, and how it undermines the Palestinians' trust in the road map process, by prejudging the final borders of a future Palestinian State.

We fully agree with the Quartet's position and call on the parties to abide by its provisions in order to put the peace process back on track. We must encourage the parties to give peace a chance.

To conclude, we took note of the draft resolution tabled by the other group. The principles outlined in the draft are universally accepted principles of international law, such as the inadmissibility of the acquisition of territory by force. The building of the separation wall stands as a clear violation of such a principle; therefore, we cannot but accept the reason why such a resolution has been tabled.

We agree with the need to end the occupation of the Palestinian territories, for which the construction of a wall of separation is yet another act which further aggravates the spiral of violence prevailing in the region. We would therefore like to appeal to the parties to consider the positions which have been followed until now and to give peace a chance. Through this resolution, our Council will be sending a clear signal to the parties and to the region.

Mr. Akram (Pakistan): We have returned to this Chamber once again to discuss a specific and grave aspect of the disturbing situation in the Middle East. Pakistan believes that the construction of the separation wall in the occupied Palestinian territories is illegal. It entails enormous humanitarian suffering for the affected Palestinian people and seriously undermines the prospects for a just and lasting solution to the Israeli-Palestinian dispute.

A fundamental principle of international law flowing from the United Nations Charter is the illegality of the acquisition of territory by the use of force. Security Council resolutions 242 (1967) and resolution 338 (1973), and all subsequent international agreements on the Middle East, have been based on this principle and require Israel's withdrawal from Arab-occupied territories.

The Quartet's peace plan is also based on the principle of Israeli-withdrawal from occupied Palestinian territories, in exchange for the establishment of a durable peace.

The separation wall being built in the occupied Palestinian territory, in effect, incorporates substantial areas of the occupied West Bank into Israel. The wall does not follow the Green Line. There is a contention that the wall is a temporary measure being constructed to enhance security for Israel against terrorism. This is not a tenable argument. There would be no terrorism if there were no foreign occupation. The objective we fear is indeed to pre-empt a solution of the Middle East conflict on the basis of the principle of land for peace.

The Special Rapporteur of the Commission on Human Rights, John Dugard, in his 30 September 2003 report to the Commission on the situation of human rights in the Palestinian territories occupied by Israel since 1967 states:

> "The wall has all the features of a permanent structure. The fact that it will incorporate half of the settler population in the West Bank and East Jerusalem suggests that it is designed to further entrench the position of the settlers. The evidence strongly suggests that Israel is determined to create facts on the ground amounting to de facto annexation. Annexation of this kind, known as conquest in international law, is prohibited by the Charter of the United Nations and the Fourth Geneva Convention." (*E/CN.4/2004/6*)

Article 47 of the Fourth Geneva Convention clearly stipulates:

> "Protected persons who are in occupied territory shall not be deprived, in any case or in any manner whatsoever, of the benefits of the present Convention by any change introduced as a result of the occupation of a territory ...."

The 1995 Israeli-Palestinian Interim Agreement on the West Bank and the Gaza Strip states that neither party will "change the status of the West Bank and the Gaza Strip pending the outcome of the permanent status negotiations" and that the integrity and status of the West Bank and Gaza Strip territory "will be preserved during the interim period". (*Article XXXI, final clauses 7 and 8*)

Apart from being illegal from the perspective of these international and bilateral legal instruments, the separation wall is inconsistent with Israel's commitment under the road map.

The road map obligates the Government of Israel to immediately dismantle settlement outposts erected since March 2001 and "Consistent with the Mitchell report ... freezes all settlement activity (including natural growth of settlements)". This commitment is both clear and non-negotiable. The wall spurs, not stems the growth of settlements and outposts.

The separation wall will bring enormous suffering to the Palestinian people living in the West Bank. The special rapporteur has calculated that more than 210,000 Palestinians will be seriously affected by the wall. According to him,

> "Palestinians living between the wall and the Green Line will be effectively cut off from their farmlands and workplaces, schools, health clinics and other social services. This is likely to lead to a new generation of refugees or internally displaced persons." (*E/CN.4/2004/6*)

There is little doubt that the wall separates the Palestinians from their own cities and resources. It isolates, fragments and in some cases impoverishes those affected by its construction. In order to obtain the land on which the wall is being constructed in the West Bank, private Palestinian property has been requisitioned pursuant to military orders. This is in flagrant violation of humanitarian as well as human rights law.

Politically, the wall will pose yet another and probably the most daunting challenge to the implementation of the Quartet's road map. The Secretary-General recently described the separation wall and the settlements as "serious obstacles to the achievement of the two-State solution." (*SG/SM/8913*)

In Security Council consultations, some members earlier have cautioned that construction of the wall amounted to pre-empting the final settlement agreement under the road map and creation of realities on the ground. We agree with this assessment.

A viable Palestinian State, as envisaged in the Quartet's road map, cannot be established in the bantustans that will be created by the separation wall. The peace which Israel seeks will not result from the continuing illegal occupation and suppression of a Palestinian population in these lands which is hostile and aggrieved.

It is imperative to recognize that the separation wall is an unlawful annexation of occupied Palestinian territory. It must be declared illegal by the Security Council, and the Government of Israel must be asked to cease, and reverse, its construction. We do not believe that terrorism is an excuse for the construction of that wall; certainly, it will not stop State terrorism against the Palestinian people.

The security situation in the Holy Land is grave and threatening. It warrants immediate attention and urgent action by the international community, and especially by the Security Council. The taboo of terrorism should not be misused to circumvent the peace process. The peace process, which we have all supported, must be rescued. The parties must be brought back to full and faithful implementation of their commitments under the road map, which should lead to the realization of our vision of two States, with Israel and Palestine living side by side in peace and security within recognized borders.

Mr. Belinga-Eboutou (Cameroon) (*spoke in French*): We are once again gathered in an open meeting — just a few days after the Quartet's 26 September meeting and the Security Council's own meeting of 5 October — to address the subject of the Middle East. The General Assembly also discussed this question in depth during the course of its general debate. On all those occasions the people of the United Nations and people of good will have called upon the parties to the conflict and the mediators to resume the road map initiative and to define together future stages for its implementation. Everyone has reaffirmed strong support for that initiative, whose goal is to find a

lasting settlement to the conflict between now and 2005.

Is it necessary to recall that the road map is based, first of all, on the idea of two States — Israel and Palestine — living side by side in peace and within secure and recognized borders? Similarly, need one recall that the parties to the conflict each entered into commitments contained in the road map to reach that goal? For its part, Cameroon has repeatedly called upon the parties to refrain from any actions that could compromise peace. Bearing all that in mind, we wonder whether the attacks, targeted raids, destruction of houses and goods, continued construction of the wall in the West Bank and the ongoing building of new settlements do not indeed impede the peace process we have sought, and which we continue to seek.

A few days ago, on 2 October, the Secretary-General expressed his own deep concern about the Israeli Government's decision to continue to build that wall deep in the territory of the West Bank. According to a statement by the Quartet on 26 September, the Secretary-General considered the separation wall and the settlements on Palestinian territory to pose a serious obstacle to reaching a two-State solution. Other members of the Quartet also share that vision, and have so indicated on several occasions. We have always condemned violence whatever its source. We have always recognized and defended Israel's right to ensure its security within the context of norms that are in keeping with international law, in general, and within the context of its respect for its own commitments under the road map, in particular.

It goes without saying that Israelis and Palestinians will be unable to achieve peace in an atmosphere of mutual defiance. In order to remove that mutual defiance, the parties must promote true disarmament: disarmament in terms of weapons policy, but also, and above all, psychological and cultural disarmament. They must do so by casting war psychosis and fear of the other from their hearts. There is no doubt that such disarmament will take time. If the protagonists themselves make good use of time — the present and the future — to shape future generations into a culture of peace, then we can hope for better prospects for the Holy Land, a land of peace, and for the Middle East as a whole.

It is true, nevertheless, that the long history of conflict has demonstrated that without the international community's involvement, the disarmament I mentioned will continue to be a very distant prospect. We therefore once again call upon the international community, and in particular upon the Quartet, to take bold and simultaneous steps, as opposed to incremental ones, in order to create the conditions necessary to ensure that peace prevails in the region.

The President: I would now like to make a statement in my capacity as the representative of the United States.

The United States has engaged intensively to encourage Israel and the Palestinian Authority to take concrete steps towards the implementation of a road map to peace that has broad support within the international community and the United Nations. We are not as far along in that process as we had hoped, largely due to the destructive impact of terrorist bombings and the failure to dismantle the organizations and infrastructure that encourage those acts.

Just 10 days ago, a suicide bomber killed 20 innocent people in Haifa. The Palestinian Islamic Jihad took responsibility for that attack. Terrorist groups such as Islamic Jihad, Hamas and the Al-Aqsa Martyrs Brigade prevent peace and highjack any prospect for real dialogue. We have noted repeatedly that Israel has the right to defend itself against those insidious attacks.

In our view, all parties have responsibilities to bring peace to the Middle East. Ending terrorism must be the highest priority. Any resolution concerning the Middle East must take into account the larger picture — that of the current security situation, including the devastating suicide attacks that Israelis have had to endure over the last three years. That is the broader context of the debate we are holding today.

The United States views on the construction of the Israeli fence have been clear. As National Security Adviser Condoleezza Rice said recently,

> "This wall is not really consistent with our view of what the Middle East will one day have to look like: two States living side by side in peace. We understand the Israelis have security concerns. It is extremely important, if it is going to be built, that it not intrude on the lives of Palestinians and, most importantly, that it not look as if it is trying to prejudge the outcome of a peace agreement."

We have urged Israel to consider carefully the consequences of its actions. In addition, senior United

States Administration officials are engaging directly with Israel on the matter of the fence. We do not believe that a Security Council resolution focused on the fence furthers the goals of peace and security in the region. We also urge both parties to avoid actions that exacerbate the situation.

For its part, the United States, along with Quartet partners, will continue to work towards the implementation of President Bush's vision of a two-State solution to the Israeli-Palestinian conflict, as set forth in the road map. Our diplomatic personnel — including Secretary of State Powell, Ambassador John Wolfe and our missions in the region — are actively involved with both parties at the highest levels. We remain committed to the road map as the way forward towards the overarching goal of the Israeli and Palestinian peoples living side by side in peace and security.

I shall now resume my function as President of the Council.

The next speaker inscribed on my list is the Permanent Observer of the League of Arab States, to whom I give the floor.

Mr. Mahmassani (League of Arab States) (*spoke in Arabic*): Allow me to commend the excellent manner and wisdom with which you, Sir, are leading the work of the Security Council.

The Security Council is meeting today to consider Israel's settler policies and construction of the separation wall in the occupied Palestinian territories, which threaten regional and international peace and security and hinder the establishment of a just and comprehensive peace in the Middle East. Israel is building an electrified, electronically monitored separation wall — a system that is more than 500 kilometres long, averages 60 metres wide and is as high as eight metres in some places — under the pretext of the security situation. This is one further link in Israel's chain of systematically devouring, confiscating and annexing Palestinian territories.

The danger in all this is that the expansionist wall does not follow the Green Line that has separated Israel and the Palestinian territories since 1967, but cuts deep into Palestinian territories, annexing — according to a World Bank study — approximately 12 per cent of the West Bank. Other studies assess the area at 23.4 per cent of the West Bank. The erection of this wall near the western borders of the West Bank is just the beginning. Another wall will go up in the East to encompass the Jordan Valley area, constituting 21.9 per cent of the West Bank. This means that Israel's plans currently include the annexation of 45.3 per cent of the West Bank.

The economic repercussions of the construction of the wall include the almost total destruction of the Palestinian economy; the isolation of the Palestinian people in encircled islands; the blockade of 210,000 Palestinians within the Green Line; and the creation of a new generation of refugees and of further suffering for the Palestinian people. The real purpose of the wall is expansion, the establishment of new settlements and the entrenchment of 230,000 Israeli settlers on Palestinian territory.

The building of this Israeli expansionist wall within Palestinian territory is a flagrant violation of the United Nations Charter, the Fourth Geneva Convention and international humanitarian law, and a perpetuation of the Israeli Government's immoral actions. Israel may build walls on its own territory, but has no right to build them inside Palestinian territory. That is simply unacceptable.

The ongoing construction of the wall is a direct threat to the future establishment of an independent Palestinian entity and to the vision of a Palestinian State living side by side with Israel. It also destroys any hope for a just and lasting peace in the Middle East. There is a consensus within the international community, including in the declared positions of the members of the Security Council and the Secretary-General, that the wall obstructs and undermines the peace process and that it should be dismantled immediately.

Despite all the international protestations against and objections to the construction of the wall, Israel pursues its policies of occupation and the building of settlements by force in Arab territories. This expansionist wall is a bypass road that extends towards Arab villages and cities and is intended to strangle and eradicate the Palestinian people politically, economically and socially and to transform the rest of the Palestinian territories into a non-viable Palestinian ghetto. This will simply increase poverty and despair.

The essence of the Israeli-Arab conflict is the ongoing Israeli occupation of Arab territories. Israel's attempt to divert attention by placing the conflict in the

context of the fight against terrorism is naive, ridiculous, futile and will fool no one. Israeli occupation is the problem. Israel's current military option of imposing the logic of force on the Arab-Israeli conflict has proven the futility of its policy and has led only to further deterioration and to more death and destruction. The pursuit of that policy, including the opening of new fronts, will push the region to the very brink of war, with all its perilous consequences for international peace and security.

We call on the Security Council today to take a firm stand by compelling Israel to dismantle the wall, end its policies of occupation, renounce the military option and resume negotiations, which alone can lead to the establishment of a just and comprehensive peace in the Middle East, in conformity with the resolutions of international legitimacy, the Arab peace initiative and the principle of land for peace.

The President: I now call on the Ambassador of Malaysia.

Mr. Rastam (Malaysia): On behalf of the Non-Aligned Movement, I wish to express our sincere appreciation to you, Sir, and to the members of the Security Council for convening this open meeting to allow the larger membership of the United Nations to express once again their views on the question of Palestine.

This meeting is focused in particular on the construction of the expansionist Israeli wall in the occupied Palestinian territory. This is a matter of grave concern to all members of the Movement and should also be of grave concern to the international community as a whole.

The Non-Aligned Movement expresses once again its grave concern at the further deterioration of the situation in the occupied Palestinian territory, including East Jerusalem. We condemn the continuing and escalating Israeli military campaign against the Palestinian people, in particular the wilful killing of civilians and including extrajudicial executions, the demolition of homes, paralysing closures, the excessive and indiscriminate use of force, and continuing settler colonial activities.

Much as we condemn the deadly suicide bombings against innocent Israeli civilians, we reiterate that the Israeli Government must exercise restraint. It must act in accordance with international law. It must act rationally. The disproportionate use of force against the Palestinian people and the implementation and enforcement of severe policies and practices in furtherance of occupation by the Israeli Government will not guarantee enhanced security for the people of Israel. On the contrary, such actions by Israel have provoked violent retaliation from Palestinian militant groups. Clearly, both sides are now locked in a continuing cycle of violence, which makes it all the more difficult to move forward to achieve a peaceful solution.

The Non-Aligned Movement is extremely concerned about the implications and long-term effect of Israel's continued settlement policies and the construction of the wall in the occupied Palestinian territory. We were dismayed to learn about Israel's recent announcement of its intention to build about 600 homes in three large West Bank settlements. Israel has obviously chosen to ignore the numerous calls made by the international community for it to cease settlement activities in the occupied Palestinian territory.

The total number of settlers has reached more than 230,000. This is double the total a decade ago. Palestinian lands are being confiscated to make way for illegal settlements and bypass roads for them. Barriers are being built to protect such illegal settlements. Effluent from those settlements has caused the destruction of Palestinian farmland. Israeli soldiers are deployed to protect the settlers. Those facts are there for all to see. One needs only to look at the present-day map of the occupied Palestinian territory to know how many settlements have been built. How could the international community ignore those facts? It is clear that Israel's settler colonialism activities impact gravely on the Palestinian people. This policy cannot remain unchallenged by the international community.

We stress that the implantation of Israeli colonies in East Jerusalem, the West Bank and Gaza is in violation of international law, in particular the Fourth Geneva Convention. The Israeli Government and others must surely realize that settler colonialism has become the primary obstacle to Palestinian self-determination. It remains a major impediment to progress in the peace process. We strongly urge Israel to dismantle the settlements and freeze all settlement activity, as envisaged by the road map.

With regard to the separation wall, we believe that its construction is severely jeopardizing the

creation of a viable contiguous Palestinian State and the realization of the two-State solution. The Israeli Government says that the wall is necessary to protect Israel from terrorists. But the plans for the wall, and the actual construction itself, indicate that it is more than just a security wall. It appears to be a devious way to create new facts on the ground and impose a unilateral solution which would prejudge the outcome of future negotiations on the boundaries of the two States, Israel and Palestine.

According to available information, the wall could extend for up to 650 kilometres, be eight metres high, and have a concrete base, as well as watch towers every 200 metres. The wall is to have trenches, roads and fences running parallel to it. For this purpose, hundreds of thousands of dunums of Palestinian land, including prime agricultural land, have been, and will be, confiscated by Israel and turned into what would practically be no-man's-land adjacent to the wall. The Palestinian town of Qalqilya is effectively surrounded by walls on almost all sides, virtually imprisoning 41,600 of its people. The wall is not just a problem; it will be a major obstacle to peace.

We note with grave concern that the wall is not being built in accordance with the internationally recognized boundary of the Armistice Line of 1949. Large portions of the wall are being constructed deep into occupied Palestinian territory, separating Palestinians from their agricultural land and water resources. The wall is designed to engulf settlements. Besides the massive confiscation of fertile Palestinian land, valuable subterranean water reservoirs have also been annexed.

In his report on the situation of human rights in the occupied Palestinian territories, the Special Rapporteur of the United Nations Commission on Human Rights estimated that the wall would cut off about 210,000 Palestinians from social services, schools and places of work. He has also stated that it would likely lead to a new generation of refugees or internally displaced persons. The wall would also isolate the primary resources of the West Bank on which the future Palestinian State would depend. This, indeed, should be alarming to the international community, Israel included. Could the world allow this to happen? Could we seriously allow an already deprived population to be subjected to such degrading and inhumane treatment on their own land?

We believe that the crisis caused by occupation and settlement is more pronounced and desperate now than ever before. It deserves immediate action on the part of the Security Council. The world cannot afford to allow Israel to boldly press on with its settler colonialism activities and — more imperatively as a matter of greater urgency — its ongoing and future construction of the expansionist wall. Israel must be prevented from using security as a pretext to annex Palestinian territory.

The extensive impact of the wall demands the immediate action of the Security Council, particularly those members with the power to influence Israel. We urge them to undertake serious efforts to prevent the wall from being used as a means to annex Palestinian lands and effectively prevent the creation of a Palestinian State. The wall must not be allowed to be used as a tool to further suppress the already downtrodden Palestinian people. We call on the Security Council to act decisively by adopting a resolution calling for the destruction of the wall and preventing its completion. Pressure must be brought to bear on Israel to comply with the demands of the international community in respect of this wall.

The President: The next speaker inscribed on my list is the representative of the Islamic Republic of Iran, to whom I give the floor.

Mr. Fadaifard (Islamic Republic of Iran): I would like to begin by thanking you, Mr. President, for having convened this public meeting on the grave and deteriorating situation in the Palestinian territory.

The separation wall, which is being built by the Israeli regime deep in the occupied West Bank, marks the beginning of a new phase in the plight of the Palestinian people. It is fast becoming a new, major source of injustice for the Palestinians and of tension in the Middle East. The wall is a new means of achieving the Israeli goal of depriving the Palestinians of their inherent national rights. As such, it is having serious impact on all aspects of the Palestinian question.

What we are currently witnessing in the West Bank is a manifest and clear act of territorial annexation under the guise of security. The construction of the separation wall means the confiscation of more Palestinian land, the demolition of more Palestinian houses and businesses, the ruin of more Palestinian lives and the further degradation of the environment. When completed, the separation wall

will stretch for hundreds of kilometres, with wide buffer zones, trenches, barbed wire, an electric fence, a two-lane patrol road and no-go areas 70 to 100 metres wide. And that is what the Israelis deceitfully call simply a fence.

Palestinians between the wall and the Armistice Line will effectively be cut off from their farmland, workplaces, schools and health clinics. The wall will cause direct harm to hundreds of thousands of Palestinians living in dozens of villages and towns. It will result in the confiscation of parts of the West Bank and of a percentage of its inhabitants, leaving the rest prisoners in cantons, which are merely open prisons. There are serious fears that the Palestinians caught between the wall and the armistice line will find life so unbearable that they will move to what remains of the West Bank on the eastern side of the wall, thereby creating a new generation of refugees.

Moreover, the wall is to complement the expansionist policy of settlement building. The illegal settlements in the West Bank, built against the will of the international community, will be the principal beneficiaries of the wall. Likewise, the illegal Jewish settlements are expanding in parallel to the completion of the racist wall. Recent press reports indicate that Israel is building hundreds of new homes in the West Bank, further undermining and discrediting the road map and the efforts of its sponsors.

The decision on the wall and new settlement units is further proof that the Israeli regime has never been serious about peace, and that its goal is to draw arbitrary borders and to sabotage the possibilities of establishing a viable Palestinian State. Israel's desire to stick to completion of the racist wall, coupled with its policy of settlement expansion, seeks to ensure in advance the defeat of any efforts aimed at enabling the Palestinians one day to have a viable State.

Given the magnitude of the injustice of the separation wall for the Palestinians, at a time when other aspects of the oppressive Israeli policy continue unabated, the consequences of building the wall would be enormous for them and the whole region. That would make the Palestinians more disappointed with international efforts, a prospect that would lead to a further deterioration of the situation in the occupied territory. However, nobody should assume that the consequences of such a project will be felt by the Palestinians alone. Undoubtedly, the deterioration of the situation in the Palestinian areas would, in turn, further worsen the situation in the whole Middle East, which is already in turmoil and suffers from, among other things, the consequences of the adventures in Iraq.

Conquest, or the acquisition of territory by force, has been outlawed by the prohibition on the use of force contained in the Charter. Several Security Council resolutions reaffirm that prohibition, and state that the status of the West Bank and Gaza must not be altered by the occupier. Likewise, the Fourth Geneva Convention prohibits the alteration and annexation of occupied territories.

Thus, given the enormity of what is at stake and the international consensus on the need to stop the unlawful construction of the wall in the West Bank, it is incumbent upon the Security Council to live up to the expectations of the international community and take the necessary action with a view to upholding international law. In particular, the time has come for the Security Council to demand that the separation wall be stopped and reversed.

The President: The next speaker on my list is the representative of Yemen.

Mr. Alsaidi (Yemen) (*spoke in Arabic*): Once again, within the space of a week, the Security Council is meeting to consider another issue and another obstacle to achieving peace in the Middle East, a peace we thought was close. Today, the Security Council is considering the issue of the expansionist wall, which marks a new phase in the ongoing series of Israeli acts of aggression and Israel's attempts to avoid implementing the road map.

The issue of the Israeli-Arab conflict has indeed become an ongoing concern of the Organization. Many people consider it to have affected the credibility of the Security Council, given the Council's inability to deal with the issue effectively and resolutely. The Security Council and the other relevant United Nations bodies have studied the various aspects of this question in the past and present. Therefore, there is no need to go over the issue now.

However, it is extremely important to recall that the Government in Tel Aviv is justifying its policy of aggression today — as it has always done — with the pretext of defending Israel's borders and the security of its people. Israel's frenzied building of the expansionist

wall reveals how false those security arguments and peace requirements are. The facts on the ground unequivocally demonstrate, among other things, that for practical purposes the building of the wall in the occupied territories means the annexation of further Palestinian territory in the West Bank to Israel, land which is added to the other land annexed by the Jewish State since the decision to partition the territory in 1947.

Moreover, building the wall will destroy the Palestinian entity and its ability to survive, which is dependent on Israel's good will. Everyone is aware that Israel's ultimate objective in building the wall has nothing to do with its security. It is really an attempt to create facts on the ground that will have a direct impact on the nature and contents of any lasting settlement in the future.

We should question the reality of the objectives alleged by Mr. Sharon's Government. That Government continues to work to found further colonial settlements in the occupied Palestinian territories, including in East Jerusalem. Israel also continues to kill Palestinian leaders even while the Palestinian side has complied with the ceasefire agreed upon by the two parties.

In that context, we need to question the continuation by Mr. Sharon's Government of its aggressive policies and its frenzied efforts to build the expansionist wall at a time when Mr. Sharon is declaring that he is working for peace and that he hopes to coexist with his Palestinian neighbours once Israel's security is ensured. Do Mr. Sharon's actions lead towards peace? We think the contrary is true. If Israel truly aspires to peace, the path to peace does not lie in confiscating lands to establish settlements, sowing hate and discord, demolishing homes, uprooting trees, imposing one's will on the occupied Arab and Palestinian territories or building the expansionist wall deep within the occupied Palestinian territories, straying far from the Green Line, namely the 1967 borders.

We believe that genuine security is based on mutual trust and respect and the recognition of the legitimate rights of all. It is also based on respect for international borders. History has shown us that peace does not last if it is imposed by force. It is true that, in today's globalized world, there is no room for entities that build walls, barriers and other obstacles, rather than exchange viewpoints and interests, and that do not respect dialogue, openness and the requirements of humanistic cultural interaction.

For more than four decades, we have been urging the Security Council to call upon and pressure Israel to cease its expansionist and aggressive practices. But we have now realized that those appeals have been futile and that the Security Council must adopt a resolution to be implemented to force Israel to immediately halt the construction of the wall on occupied Palestinian territory and far from the Green Line, and to strictly respect its commitments, in keeping with international law and norms and with the Fourth Geneva Convention.

The President: I now call on the representative of Egypt.

Mr. Aboul Gheit (Egypt) (*spoke in Arabic*): I am convinced, Mr. President, that you, all the participants in this discussion, and all the other members of the international community, can grasp the dangers inherent in the situation in the Middle East today. We all believe that those dangers are a result of the stalemate in the peace process.

Some basic elements should be addressed; if they persist, these will lead to further deterioration of the situation, with consequences that, hopefully, the region will not have to experience.

First, it would be indeed dangerous if the international community, represented by the Security Council, did not deal with Israel's attempts to widen the circle of current tension between the Palestinians and Israel, turning it into a broader conflict. Those attempts include the Israeli aerial attack against Syrian territory, which was condemned by Egypt.

Secondly, the behaviour of the Israeli Government in recent months has created greater distrust about its real intentions. All indications and acts lead us to believe that Israel aims at thwarting the peace process, which is based on the principle of two States, Israel and Palestine, living side by side in peace and within secure and recognized borders. Israel's acts and behaviour show that it has opted for a course that runs counter to the search for a just and lasting solution. The construction of this wall of separation, which upon completion will extend between 450 and 600 kilometres, prevents more than 200,000 Palestinian citizens from forging a future and deprives them of their land and livelihood. It is also in flagrant violation

of international humanitarian law and the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949.

We ask the members of the Council to refer, for example, to the report of the Special Rapporteur of the Commission on Human Rights on the situation of human rights in the occupied Palestinian territories. He clearly and honestly stated in his report a point worth considering. Some have stated that the wall is being built to achieve security for Israel and its settlements and settlers in the occupied Palestinian territory. Our response is that, if as some, including the Palestinians, have said, Israelis want to live in security, in isolation, then the wall of separation should be built along the 1949 ceasefire demarcation line. But, behind this act is the notion of expansion, of taking over Palestinian land and destroying the future of the Palestinian people. It also runs counter to the concept of two States — Israeli and Palestinian, as the Palestinian representative has mentioned.

Secondly, how else can Israel's acts be explained, given the ongoing escalation of violence against the Palestinians. Their territory is invaded; their houses are destroyed; their activists are killed; and they are subjected to collective punishment. All those measures unfortunately spark counter-violence and lead to attacks that kill Israeli civilians in Israeli territory. The Egyptian Government has condemned those acts, including the latest attack carried out in Haifa.

Today the Security Council must shoulder its responsibility and show its determination to achieve a settlement in keeping with Security Council resolution 1397 (2002) on the establishment of two States — Israel and Palestine — with a view to controlling this continuously deteriorating situation in the region. What is demanded of the Security Council today is to express international consensus on the firm demand that Israel stop the construction of the wall of separation deep inside Palestinian territory, set aside its settlement policy and assume its responsibilities as an occupying Power, in accordance with the 1949 Fourth Geneva Convention.

In conclusion, Secretary-General Kofi Annan spoke honestly and explicitly at the end of the Quartet meeting on 26 September 2003, when he said that the situation calls for bold steps with a view to extricating ourselves from this impasse and to beginning to implement the road map. Transparent machinery is required to tackle certain tasks, with close monitoring, in keeping with a clear timetable and carrying out well defined measures, so that commitments can be kept and implemented.

The President: I call on the representative of Cuba.

Mr. Rodríguez Parrilla (Cuba) (*spoke in Spanish*): In recent months, another very dangerous and unacceptable act — the construction of a wall of separation on Palestinian land — has been added to a long history of occupation, aggression, illegal settlements, massive flagrant and systematic violations of human rights, State terrorism and extrajudicial killings, economic strangulation and physical and moral harm caused by Israel's continuous refusal to comply, for more than five decades, with the provisions of numerous resolutions of this organ and the General Assembly.

The Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations, annexed to General Assembly resolution 2625 (XXV), sets forth the inadmissibility of the acquisition of territory by force, which is a principle of international law. This is why the international community has always refused to recognize illegal Israeli settlements and Israel's annexation of East Jerusalem and the Golan Heights, as has been recognized in Security Council resolutions 465 (1980), 478 (1980) and 497 (1981). In those cases, the reaction of the international community, expressed through the United Nations, was clear and firm. However, the underhanded annexation that Israel is carrying out before our eyes has not been as roundly condemned.

Israel presents the construction of the separation wall between Israel and the occupied Palestinian territory as a security measure. If the wall were built on the so-called Green Line, which delineates the border established in 1967 between Israel and the occupied Palestinian territory, that would also be unacceptable. But the wall is being built on Palestinian lands, covering almost 7 per cent of its territory, including farmland, water resources and villages.

The building of the separation wall, the expansion of settlements and the construction of security routes between the settlements and Israel constitute a clear territorial expansion, to the detriment of the Palestinian

people and its alienable right to enjoy self-determination and to establish its own independent and sovereign State. The construction of the wall also reveals Israel's true position, which runs counter to a genuine peace process.

Building new physical divisions in the occupied Palestinian territory makes the opportunities for a lasting and just settlement to the conflict become even more distant. "Bantustanization" of the occupied Palestinian territories creates new changes in the field, which further complicate any future negotiations on permanent status and make it impossible to establish a Palestinian State in which all its territory is contiguous.

Violence and the use of force cannot lead to a solution to the conflict, a solution that the world seeks and that would have come about many years ago had the Security Council acted decisively, if double standards had not held sway and if the paralysing vetoes of the United States had not impeded the adoption of appropriate measures to ensure the withdrawal of Israel from all the occupied territories and to achieve the much desired peace in the Middle East region.

Cuba reiterates its unflagging support for the cause of the Arab peoples, and expresses its deep solidarity with their struggle and resistance against foreign occupation.

Cuba hopes that the Security Council will take the necessary steps to immediately halt the construction of the separation wall; to restore all the occupied Arab territories, including the Gaza Strip, West Bank and Syrian Golan Heights; to stop Israeli provocations and attacks against Lebanon and Syria; to guarantee the return of all Palestinian refugees; to eliminate the illegal Israeli settlements; and to ensure that the Palestinian people can exercise their legitimate right to establish an independent State, with its capital in East Jerusalem.

The President: I now give the floor to the Ambassador of Jordan.

Mr. Al-Hussein (Jordan) (*spoke in Arabic*): I thank you, Mr. President, for calling this special meeting to consider the question of Palestine and Israel's construction of the separation wall.

We are seriously concerned about the developments in the Middle East. We in Jordan are in the middle of a circle of geographical and political instability, not to mention the resulting social and economic repercussions. The latest escalation threatens the peace and stability of all the States of the region. We therefore call on all parties to exercise the maximum self-restraint and work effectively and with determination to put the political process back on track.

On this basis, we reaffirm our support for the vision for peace in the Middle East put forward last June by United States President George Bush, and for the road map, to which Jordan actively contributed. They provide for a genuine change in the political situation through mutual commitments, the end of Israeli occupation and the establishment of an independent Palestinian State, in accordance with Security Council resolutions 242 (1967), 338 (1973) and 1397 (2002), the principle of land for peace and the Arab peace initiative.

The road map sets forth a time frame of three years for the establishment of a Palestinian State and a monitoring and assessment mechanism to ensure timely implementation of the measures. We should be focusing on expediting the establishment of a genuine mechanism for monitoring the political and security situation under the Quartet's auspices to ensure that parties fulfil their reciprocal commitments made in accordance with the road map. This is the path that will enable us to use the present historic opportunity to achieve a comprehensive, just and lasting peace in the Middle East.

It is high time to implement the road map and take significant and prompt steps to put the peace process back on an irreversible track. But the Israeli Government's continued security policies, assassinations, extrajudicial killings and targeting of Palestinian citizens directly threaten the future of the peace process and implementation of the road map. Moreover, its continued violation of the Fourth Geneva Convention, the imposition of oppressive measures against the Palestinian people and the occupation of Palestinian land have been the main cause of the Palestinians' unacceptable economic suffering and difficult living conditions.

At the same time, Jordan took a principled moral and political position against suicide operations. We feel that these operations, which we condemn, have reflected negatively on and diminished international sympathy for the Palestinian cause and diverted

attention from the main issue ending the Israeli occupation of the Palestinian territories.

The current circumstances will only help to strengthen extremists on both sides. We believe that the Israeli security policy has not and will not bring about security for Israelis.

Israel's ongoing construction of the separation wall and its settlement activities are a violation of the principles of international law and of United Nations resolutions on Palestine, especially Security Council resolutions 476 (1980) and 478 (1980). We condemn the construction of the separation wall, which entrenches the Israeli occupation of the Palestinian territories, devours more land and imposes a de facto situation on the future Palestinian State, in the sense that it cuts deeply into the Palestinian territories and does not conform to the Green Line of June 1967. The completion of the wall means the annexation of more than 10 per cent of the land of the West Bank to Israel and the imprisonment of more than 95,000 Palestinian citizens between the wall and the Green Line of June 1967. It affects the livelihood of more than 210,000 Palestinians in more than 67 villages and violates human rights in the Palestinian occupied territories.

We call on Israel to stop the construction of the wall immediately and emphasize the need to respect the lines of 4 June 1967. We call on it to start immediately, in conformity with its commitments in the first phase of the road map, with the dismantling of all the settlements built since March 2001. Israel's pursuit of its settlement activities, construction of the separation wall and expansion of the occupation of Palestinian territories run counter to the vision of two States — Palestine and Israel — living side by side in peace. Indeed, it renders it completely impossible. This leads us to ask if the Israeli side really wants to realize the vision of two States or if it has another vision entirely.

Mr. Al-Shamsi (United Arab Emirates) (*spoke in Arabic*): Mr. President, it gives me great pleasure to extend to you, on behalf of the United Arab Emirates, my sincerest congratulations on your assumption of the presidency of the Security Council this month, and I wish you every success. I would also like to thank your predecessor, the Permanent Representative of Great Britain, for his efforts in managing the activities of the Council last month.

Mr. President, your quick response to the request to convene an emergency meeting for the second time in 10 days reflects the growing international concern regarding the tragic and serious situation in the Middle East that has resulted from the grave violations and illegal acts committed daily by the Government of Israel, in defiance of relevant international norms and resolutions.

Many international appeals and calls have been made by the United Nations and by world leaders, including the members of the Quartet, urging the Government of Israel to end its flagrant policy of violations of the national, political and human rights of the Palestinian people, including the construction of the disturbing, illegitimate, racist separation wall through the occupied Palestinian lands and cities. It is regrettable that despite those appeals the Government of Israel intransigently continues its policy and has started the second phase of the separation wall, ignoring all appeals and flouting with contempt the legal, political and moral obligations imposed by peace agreements, international law and other relevant and legitimate international resolutions.

The series of important periodic and regular reports submitted by the Special Coordinator for the Middle East Peace Process and Personal Representative of the Secretary-General, Mr. Terje Roed-Larsen, and by his other assistants for political affairs, to the Security Council and to other bodies regarding this subject have strongly warned of the separation wall's dangerous and negative impact on the daily life of the Palestinian people as well as on the peace process.

The separation wall, which is built deep inside Palestinian villages and cities — 6 kilometres deep in some areas — will result in the de facto annexation of thousands of acres of private and public Palestinian lands, which contain water and other natural resources, in addition to the other Arab and Palestinian lands that were seized militarily by Israel during previous decades. This concrete wall has resulted in extensive destruction of fertile Palestinian lands and in the separation and isolation of many villages and cities. It has affected the lives of thousands of Palestinians who lost their jobs and have been denied access to their schools, families, lands and other basic services, such as hospitals and other facilities.

Moreover, most dangerous of all is that construction of this walled barrier, fortified by barbed wire and trenches, will penetrate into East Jerusalem. It is an attempt to illegally and illegitimately annex this

Holy City, which is considered the capital of Palestine. That will lead to the disintegration of Palestinian society and will affect the future Palestinian State in the West Bank and the Gaza Strip, areas that were occupied by Israel in 1967 in violation of legitimate international resolutions, in particular resolutions 242 (1967) and 1397 (2002).

The Security Council's failure to take the necessary and effective measures to stop Israel's policies of aggression and its flagrant violation of its resolutions and of international humanitarian laws and norms has conveyed a wrong message to the Government of Israel and has encouraged it to continue its aggression against the countries and peoples of the region. Otherwise, how can we explain the continued Israeli military attacks against the cities, villages and camps of the West Bank and the Gaza Strip, the killing and displacement of hundreds of Palestinians, the daily demolition of dozens of Palestinian homes and properties, penetration of Lebanon's airspace and its unjustified military attack against Ein Saheb in Syria on 5 October. These provocative Israeli acts constitute a gross violation of the separation agreements between the forces, in the Golan Heights in 1974, the Blue Line understanding sponsored by the United Nations in southern Lebanon and the other relevant international resolutions.

We therefore appeal to the international community to move with all urgency to stop the Israeli threat to international peace and security. If this threat is not stopped it will ruin peace efforts and opportunities and will drag the entire region and its peoples into a new circle of violence and war.

Furthermore, the United Arab Emirates strongly deplores the Israeli position on building the separation wall, and its continuing occupation and aggression against the Palestinian and Arab lands, which constitute part of its expansion and colonization plans for the region. We also urge the Security Council to issue an effective resolution that categorically condemns the separation wall and demands that Israel fully and unconditionally remove the wall, in accordance with the United Nations Charter, international humanitarian law and the relevant United Nations resolutions.

We also appeal to the Quartet — and especially to its influential members — to bring pressure to bear on the Israeli Government to compel it to respond to international appeals immediately to cease construction of the separation wall, to resume negotiations and to comply with its obligations under the provisions of the road map, which calls for the establishment of two States — Palestine and Israel — living side by side in peace and security in the region.

The President: The next speaker is the representative of Japan, on whom I now call.

Mr. Haraguchi (Japan): First, allow me to express my profound sorrow at the deaths of those who perished, deep condolences to the bereaved families and heartfelt sympathy to those injured in the suicide bombing in Haifa on 4 October. Terrorism cannot be justified for any reason. Japan reiterates its condemnation of the brutal terrorist attacks that continue to victimize large numbers of innocent people.

The Israeli attack against Syrian territory on 5 October, however, could cause a further deterioration of the situation in that region, where the level of tension is already elevated. Japan considers that attack to be absolutely deplorable.

As those incidents illustrate, the situation in the Middle East has worsened, to the great disappointment of the international community. Japan recognizes that the extension of the so-called separation fences, as approved by the Israeli Cabinet, will cut into the Green Line. This is particularly true in the case of the area surrounding the Ariel settlement.

These separation fences, although it is claimed that they are intended to prevent the intrusion of terrorists, not only negatively affect the lives of Palestinians but also prejudge the final status of the negotiations, as the fence is to be extended inside the Green Line. Japan has therefore called upon the Israeli Government to reconsider its fence programme.

With respect to the latest Israeli decision to extend the fence, which is truly regrettable, Japan strongly requested the Israeli Government, on 1 October — the day of Cabinet approval — to refrain from implementing that decision. Today, I would like to take this opportunity to request the Israeli Government once again not to implement that decision. Japan will closely watch the Israeli Government's actions with regard to this matter.

At the same time, Japan fully expects that the Palestinian Authority will resolutely fight against violence by the extremists and take steadfast measures

for that purpose. It is indispensable that the Palestinian Authority fully recognize that, unless steady efforts are made, it will be difficult to improve the situation. I would also like to emphasize that any lack of resolute measures on the part of the Palestinian Authority against the violence will only provide an additional excuse inside Israel for the continued construction of the separation fence.

The Government of Japan is concerned that the efforts for peace based on the road map, which is now at a critical juncture, have become increasingly fraught with difficulties. Nevertheless, the road map remains the only viable way to achieve peace. I reiterate our earnest hope that, in order to resume the implementation of the road map, both the Israeli and the Palestinian sides will exercise the maximum self-restraint, refrain from taking measures which will worsen the situation, and make the utmost efforts for putting an end to the violence.

The President: The next speaker inscribed on my list is the representative of Bahrain.

Mr. Almansoor (Bahrain) *(spoke in Arabic)*: Israel is continuing its expansionist policy and its creation of a fait accompli by building a separation wall. Israel has continued construction of the first stage of that wall, which runs along 150 kilometres within the occupied Palestinian territories.

That wall consists of obstacles with barbed wire, trenches and electric locks, designed to isolate Palestinian towns and villages from each other. A great deal of agricultural land has been destroyed, as have the livelihoods of the thousands of Palestinians who live off the harvest from those lands.

The separation wall encircles several Palestinian cities, including the city of Qalqilya. The population there is totally cut off from their jobs, families and schools. The continued construction of the wall will lead to a de facto separation of a great swaths of Palestinian territory from other territories and to the confiscation of even more land, which will intensify the sufferings of the Palestinian people.

Several days ago, the Israeli Cabinet gave its agreement to beginning the construction of the second stage of the separation wall. That means the confiscation of even more Palestinian territory. Israel is totally flouting international appeals and resolutions requesting that it immediately cease construction of the separation wall as well as ignoring relevant resolutions and anything that would make possible the establishment of an independent and viable Palestinian State.

Israel's insistence on building the wall risks undermining the peace process as a whole. Proof of Israel's arrogance is its recent aggression against the city of Rafah and against a refugee camp near the Egyptian border. That raid lasted 50 hours, caused the deaths of eight Palestinians and injured more than 80. It destroyed 120 houses completely and partially damaged 170 others. Roads and infrastructure were heavily damaged, as were electrical and energy networks.

Eyewitnesses likened that act of aggression to an earthquake. The creation of the separation wall would not provide Israel with the security it hopes for, nor will it prevent suicide attacks. It will only increase rancour and hatred of it.

If Israel genuinely wants to have security, it will have to put an end to its occupation of Palestinian territories and go back to the 1967 borders. The peace process requires the building of confidence between the two parties — not the building of a racist wall that serves only to aggravate the situation.

The fact that Israel is pursuing its expansionist and illegal policy in occupied Palestinian territories, including East Jerusalem, and the statement by the Israeli Government that it intends to build more than 600 housing units for settlements in the occupied Palestinian territories make clear the expansionist intentions of the Israeli Government.

The measures taken by the Israeli Government and its insistence on continuing its occupation of these lands is a flagrant violation of international humanitarian law and of the Charter of the United Nations, the Fourth Geneva Convention and all international law and legislation. It totally contravenes the road map, which paves the way for the establishment of an independent Palestinian State, coexisting peacefully side by side with Israel.

The Kingdom of Bahrain calls on the Security Council, the Quartet and those countries that are sponsoring the peace process to exert pressure on the Israeli Government immediately to halt construction of the separation wall, to tear it down and to cease building settlements.

We call urgently upon the Security Council to take immediate necessary measures, in conformity with the Charter of the United Nations and relevant resolutions, to deal with this very serious issue by putting an end to these illegal acts by the Israeli Government and to demand that Israel implement the road map in order to achieve a just and comprehensive solution to the situation in the Middle East.

The President: I call on the representative of Qatar.

Mr. Al-Bader (Qatar) (*spoke in Arabic*): I warmly thank you, Mr. President, for having provided us the opportunity to participate in this debate on a serious and important issue that is threatening international peace and security.

For 54 years now, the General Assembly — under resolution 181 (II), which called for an end to the British mandate for Palestine by the end of August 1948, has attempted to partition Palestine into two independent States that would live peacefully side by side with economic ties between them. The resolution also provided special status for Al-Quds Al-Sharif, or Jerusalem. Chapters 2 and 3 of the text laid down the borders for the two States. The Assembly also decided to establish a Special Committee that would monitor events in Palestine after the withdrawal of the mandate Power and would be charged with adopting the measures and laws necessary for the establishment of the two States.

Subsequently, when the State of Israel came into being, the Palestinians unfortunately were unable to create their own State, given Israel's continued violations of resolution 181 (II) and its annexation of a great number of Palestinian territories. As a result, conflict and violence erupted between the Israeli and Arab sides. Today, Israel continues to violate both General Assembly and Security Council resolutions, including resolution 242 (1967) which demands Israel's full withdrawal from the territories occupied in 1967 — including Al-Quds Al-Sharif — and resolution 338 (1973), which demands that Israel fully implement resolution 242 (1967) and stipulates that the parties to the conflict must begin negotiations leading to the establishment of a just and lasting peace in the Middle East.

We are meeting today at a time of escalating military threats that threaten the whole region and that are difficult to control. We cannot predict the results, given Israel's provocations on several fronts. Its most recent acts of aggression against Syria and Rafah are irrefutable proof of Israel's ongoing violations of international law and of the principles of international conventions, including the Fourth Geneva Convention of 1949 relative to the Protection of Civilian Persons in Time of War, and Israel's defiance of international legitimacy and its resolutions. At a time when we are seeing a deterioration of the situation in the occupied Palestinian territories and acts carried out against the Palestinian people in full public view, we note with sadness the grave deterioration of the security situation in the occupied Palestinian territories as a result of the recent Israel invasion of Rafah, the full siege and the imposition of a curfew on civilian populations that has made it impossible for officials of international humanitarian organizations to carry out their work.

The Israeli occupying forces are flagrantly defying international law and the international community by putting President Yasser Arafat and other elected Palestinian leaders under siege and by demolishing houses, killing individuals and attacking religious sites — barbarities that we have not seen since the end of the Second World War — which have led the International Committee of the Red Cross and officials of various humanitarian organizations to condemn those acts. The responsible parties should be brought to justice before international tribunals and charged with human rights violations on the scale of war crimes.

The situation has continued to deteriorate, particularly since Israel's decision to build the separation wall, which has been condemned by the international community — even including a portion of Israeli society — given its negative effects on the economic and social life of the Palestinian people, on the movement of citizens and on free trade. The wall has annexed the lands of 25 Palestinian towns, completely destroying their economies and cutting them off from one another. The second phase of the wall will isolate East Jerusalem, and thus 200,000 Palestinians will be living within the Green Line. According to an estimate by the World Bank, the separation wall will take up to 12 per cent of the West Bank's territory. While we witnessed the fall of the Berlin wall — a wall that was condemned by the international community — today we are witnessing the building of a wall that is much more dangerous than the Berlin Wall was, since it does not only directly

threaten the establishment of a Palestinian political entity but will have negative effects on the Palestinians themselves, on the fabric of their daily lives, on their economic, social and cultural situation and on their health. Moreover, it will have negative effects on the entire negotiating process and on the prospects for a lasting settlement. Israel has imposed this wall as a fait accompli, thereby occupying the territories it wishes to occupy.

Violence can only lead to counter-violence; thus this violence must end. The Palestinian people must be provided guarantees for the return of their refugees, for their right to self-determination and for the establishment of an independent Palestinian State, living side by side with Israel in peace, in conformity with Security Council resolutions 242 (1967) and 338 (1973), which reaffirm the principle of land for peace; with other Conventions concluded by the two parties; and with various peace initiatives, particularly that of the Summit of the Arab League, held at Beirut, and with the road map.

The President: I call on the representative of South Africa.

Mr. Kumalo (South Africa): My delegation wishes to congratulate you, Sir, on assuming the presidency of the Council for the month of October on behalf of the United States. We wish you success in dealing with some of the most difficult global issues that we face.

Once more, the Security Council is called upon to pronounce on whether it is ready to take action on one of the most difficult issues on its agenda. The question before us today is whether the Council is willing and able to address the threat to international peace and security that is posed by the separation wall that Israel is building in support of its continued occupation of the West Bank and Gaza. The draft resolution before the Council simply demands the cessation and reversal of the construction of the separation wall. The resolution points out that the separation wall represents a departure from the armistice line of 1949 and is illegal under the provisions of international law.

South Africa has condemned, in the strongest possible terms, the recent suicide attack in Haifa. We have expressed our deepest sympathies to the families of the victims. Atrocities of that nature cannot bring about peace in the Middle East — or anywhere, for that matter. Sadly, these tragedies only serve to further fuel the cycle of violence and counter-violence in the Middle East.

In defiance of world opinion and international law, the Israeli Cabinet has approved the second phase of the construction of the separation wall. According to the plan approved by the Israeli Cabinet, the path of the wall would follow a number of horseshoe-shaped digressions to include Ariel and three other large Israeli settlements deep within the 1967 Green Line. Israel has also decided to proceed with the construction of another 600 homes for settlers near Jerusalem. In the process, Israel is separating Palestinians from their workplaces, their places of worship and even their own family members.

The ongoing construction activities are only the latest in a decades-old effort to expand the territory of Israel. As the Israeli media itself have reported, Israel has spent approximately $10 billion since 1967 to settle 230,000 settlers in Palestine. The Israeli Government is luring people from all over the world to come and populate the settlements by offering generous subsidies, including personal income tax breaks, grants, loans, bonuses and career opportunities. The settlements bring with them the creation of settler roads that can be used only by Israeli settlers, as well as security barricades and military outposts. Each settlement diminishes the dream of Palestinian statehood and guarantees that Israel will forever be faced with the rebellions of the displaced Palestinians.

My delegation wishes to draw the Security Council's attention to a report dated 8 September 2003 drafted by the Special Rapporteur of the Commission on Human Rights on the situation of human rights in the Palestinian territories occupied by Israel since 1967. In his report, Mr. John Dugard points out that the ongoing expansion of Israeli settlements and the construction of the separation wall suggest that "territorial expansion remains an essential feature of Israel's policies and practices in the [occupied Palestinian territory]" (*E/CN.4/2004/6, summary*). He submits that the time has come for the international community to condemn the separation wall as an unlawful act of annexation in the same vein that Israel's annexation of East Jerusalem and the Golan Heights has been condemned as unlawful.

We believe that Mr. Dugard is correct in his assertion that we should avoid political euphemisms and rather state in precise and legally accurate terms

that "what we are presently witnessing in the West Bank is a visible and clear act of territorial annexation under the guise of security" (*ibid., para. 6*).

Each time we have appeared before the Security Council on this matter we have emphasized our belief that the solution to the Palestinian-Israeli conflict is a negotiated settlement that would result in a two-State solution, that is, a sovereign State of Israel and a sovereign State of Palestine with East Jerusalem as its capital.

The building of a separation wall is a pretext to occupy more land and makes a negotiated settlement even harder to achieve. Certainly, following the determined efforts the world put into bringing the Berlin wall down, the Council should be able to find within itself the courage to deal with this separation wall. We would expect that the Security Council, which carries a solemn mandate to intervene on such matters, would choose not to remain silent.

The President: I call on the representative of Saudi Arabia.

Mr. Al-Badi (Saudi Arabia) *(spoke in Arabic)*: The serious and bloody events taking place in the occupied Palestinian territories confirm the aggressive nature of Israel, which is seeking to create pretexts to further its settler colonialism and to expand, in order to usurp and Judaize more Palestinian territories and to create new conditions which are impossible for the Palestinians to accept or live with.

Anyone who resists occupation, rejects humiliation and indignity, finds all the roads closed before him and is left with nothing but self-sacrifice is called a "terrorist" and must be condemned. Furthermore, his clan and his relatives must be punished and penalized. Yet the unjust occupier and oppressor who has usurped all the rights of others is allowed to enjoy the right of self-defence to further its colonialism and entrench its occupation.

The racist separation wall — which the Palestinians consider the third tragedy, or *nakba* — the construction of which began in 2002 under the pretext of maintaining security, is in fact part of Ariel Sharon's plan, which dates back to the 1970s and which he began implementing in the 1980s with the Seven Stars settlement plan. That plan seeks to erase and completely abolish the Green Line in several areas and to annex the Israeli settlements to Israel, creating narrow alleys between cities and other populated Palestinian areas, which the Israeli Government views as separate cantons that will be controlled by Israel, which will allow the Palestinians to manage their own internal affairs, so that Israel will be spared the burden of a foreign population.

The first phase of the construction of the wall, comprising 90 kilometres from Jenin to Qalqilya, has been completed and has devoured one third of the West Bank. The eastern wall will extend from Ain al-Baydat through Toubas to Jericho. Thus, the map of the four cantons will be completed in the West Bank. This will isolate some 250,000 Palestinians in real prisons from which they cannot move.

It is thus clear that the purpose of this racist wall is not to ensure security, as insolently claimed by Israel, but to confiscate more land, and to humiliate and oppress the Palestinian people creating conditions making it difficult or impossible for them to live within their own country and on their own land. Probably the best evidence of this is set out in the report of the Special Rapporteur of the Commission on Human Rights, John Dugard, which states that "The evidence strongly suggests that Israel is determined to create facts on the ground amounting to de facto annexation" (*E/CN.4/2004/6, summary*), and that "Israel's action in the [occupied Palestinian territory] is so remote from the interests of security that it assumes the character of punishment, humiliation and conquest [of the Palestinian people]" (*ibid., para. 5*).

Israel would not have continued its injustices and aggression had the Security Council assumed its responsibilities to preserve international peace and security. Israel would not have continued to ignore and disdain the Security Council and the United Nations had it not been for the practice of double standards. Israel would not have continued its policy of colonialism and the building of additional settlements had it not been assured that it had political protection and that no economic sanctions would be imposed upon it such as the ones imposed upon other States.

Given both the permanent international responsibility of the United Nations for the Palestinian question until such a time as it is resolved in all its aspects as well as the provisions of the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War, the Kingdom of Saudi Arabia calls upon the Security Council to fully assume its

responsibilities and discharge its obligations by asserting the illegitimacy of erecting such a wall and by calling for Israel to halt its construction immediately. The Kingdom of Saudi Arabia has called, and will continue to call, for the deployment of an international interposition force between Palestinians and Israelis. The situation in the Middle East should be no exception to the rule enforced in other parts of the world to separate warring parties. The Kingdom of Saudi Arabia calls on the Quartet to assume its responsibilities under the road map and to establish implementation mechanisms for it, including the deployment of an interposition force to separate the parties and guarantee their adherence to the road map.

The President: I now give the floor to the representative of Argentina.

Mr. Cappagli (Argentina) (*spoke in Spanish*): I would first like to thank you, Mr. President, for convening this open debate, which enables non-members of the Security Council to express their views on the continuing deterioration of the situation in the Middle East, which poses great danger to the security of the region.

As the majority of representatives taking part in this debate have done, the delegation of Argentina would like to express its concern and sorrow at the deepening crisis in the Middle East and at the suffering of the Israeli and Palestinian peoples. Extremely grave events have taken place in recent weeks that have led to a spiral of violence, revenge and reprisal that has resulted in dozens of Israeli and Palestinian civilians being killed or wounded.

Another suicide attack occurred on 4 October 2003, at Haifa, on the eve of Yom Kippur. That attack set off increased violence on various levels. The killing at a Haifa restaurant of 20 Israeli Jewish and Arab citizens — including women, children and older persons — once again underscored the irrationality and barbarity of which terrorism is capable. We reiterate our strongest possible condemnation of terrorism in all its manifestations. We call for an end to such atrocities, which do not further the Palestinian cause but which instead do great damage to it, not only in the eyes of Israeli public opinion but also in that of the world.

We reiterate that the Palestinian Authority must take urgent measures to dismantle the terrorist infrastructure and to arrest the individuals responsible for planning such brutal attacks. According to the road map, Palestinian security services are to be restructured under a Ministry for the Interior that has real powers. We hope that the efforts of Palestinian Prime Minister Ahmed Korei to that end will be successful. We also hope that all Palestinian leaders will ensure that that objective is irreversibly achieved as soon as possible.

We recognize that Israel has a legitimate right to defend itself from terrorist acts. However, we believe that that right should be exercised in conformity with international law. Specifically, Israel must refrain from the use of excessive force in densely populated areas and stop its policy of targeted assassinations and collective punishment. It should also take steps to improve living conditions in the occupied territories. Along the same lines, and in keeping with the road map, settlement activities on occupied territory should also cease, including the so-called natural growth of those settlements. The dismantling of illegal settlements, which are an obstacle to peace, should also commence.

Israel's construction of a wall on occupied territory is one more reason for concern. It is also a violation of international law. We therefore call for an end to the ongoing construction of the wall, especially along areas that do not follow the Green Line. According to many available reports, the wall is causing much inconvenience and disruption to thousands of Palestinians who are being separated from families, schools, hospitals, places of employment and agricultural fields. All of that contributes to even further deterioration of the economic and social conditions in the West Bank.

Before concluding, I would briefly like to refer to the situation in the region from the perspective of the events of recent weeks.

On 6 October 2003, the Government of Argentina issued a press release condemning the attack perpetrated in violation of the norms of international law and specific provisions of the Charter of the United Nations against Syrian territory by five airplanes of the Israeli air force. On that occasion my Government also condemned the terrorist attacks carried out against Israeli citizens, which leave behind a painful toll in dead and wounded. The rising tension between Israel and Lebanon and between Israel and Syria presents a great danger to security in the entire region. We appeal to the leaders of all the countries concerned to act

cautiously and to refrain from any measures that will lead to an escalation of unforeseeable consequences.

The cost in human lives of the current state of affairs is very high. It has become increasingly obvious that there can be no military solution, much less a terrorist solution, to this conflict. The sole route available is that of mutual concessions, as described in the road map. With courage and determination, the necessary measures must be adopted to get the peace process back and track and to make a reality of the vision of two States, Israel and Palestine, living side by side in the Middle East in peace and within secure borders.

The President: I now give the floor to the representative of the Libyan Arab Jamahiriya.

Mr. Treki (Libyan Arab Jamahiriya) (*spoke in Arabic*): The Security Council is meeting today to discuss the problem of the separation wall being built in the occupied Palestinian territories as a security construction but which is in reality a part of Israel's long-term plan to annex additional territories by force. This represents a serious violation of the Fourth Geneva Convention, of the United Nations Charter, and dangerously threatens international efforts aimed at reaching a peaceful solution.

The wall will ruin fertile Palestinian agricultural land, isolate and separate Palestinian towns and villages and destroy the lives of the thousands of Palestinians who are and will be cut off from their lands, work, schools and institutions. The construction of the wall is also an attempt by Israel to reaffirm its annexation of East Jerusalem. Moreover, the Israeli occupying authorities are pursuing the establishment of illegal settlements in occupied Palestinian territories, including East Jerusalem, thus revealing their expansionist intentions and their offhand attitude towards international efforts to achieve a peaceful solution to this problem.

Israel's attacks on Palestinian cities; its targeting of innocent Palestinians and demolition of their homes; its extrajudicial executions; its recent destruction of the Rafah refugee camp; and its murder of dozens of innocent Palestinians must be condemned by this Council, which bears primary responsibility for the maintenance of international peace and security. The Council must compel Israel, the occupying Power, to end the occupation of all Arab lands and to abandon all measures to annex new lands. This most contemptible form of occupation is unacceptable and would be cause for resistance by any people on whom it was imposed. The Europeans resisted the Nazis, the United States fought its occupiers, and the Palestinian people is no exception.

My country condemns all forms of terrorism, but we cannot accept the pretext put forward by the occupying Power for its killing of Palestinians. True terrorism is that which is being pursued by the occupying Power. This is the same excuse that has been used by colonizing Powers against all those who have resisted them. Fascist Italy, too, used it against Libyan fighters during their war for liberation. The essential problem is that of the unspeakable occupation of the Palestinian territories. This Council must make Israel, the occupying Power, respect all its resolutions and those of the General Assembly. It must compel Israel to withdraw from the Palestinian territories and restore to the Palestinians their legitimate right to an independent State on their own national soil, with Jerusalem as its capital. Israel's excuses regarding its own security are mere procrastination and demonstrate its lack of earnestness in withdrawing from the occupied territories. It is putting the cart before the horse, because its security can be assured only when its occupying forces withdraw.

We ask the Security Council and the international community to strive to ensure that the suffering of the Palestinian people is finally ended and to exert pressure on Israel to withdraw from Palestinian territories. That is the only way to ensure peace and security in that sensitive region. The wall is only one manifestation of the illegal occupation.

The President: The next speaker on my list is the representative of Tunisia, on whom I now call.

Mr. Hachani (Tunisia) (*spoke in Arabic*): The Security Council is meeting once again to review Israel's actions against the Palestinian people and its flouting of the principles adopted by the international community in its search for a just and lasting solution to the conflict in the Middle East.

The numerous meetings of the Security Council on the Middle East and the increasing deterioration of the situation there are clear evidence of the need for the Council to adopt a stern position with a view to resolving the issue. The situation is most grave and we must ensure that a settlement be found. On a human level, the circumstances are most sad, because the

brotherly Palestinian people have been deprived of their lands, homes and incomes.

Tunisia has followed with concern reports from various quarters, official and unofficial, on the Israeli Government's construction of a separation wall that cuts into land beyond the 1967 borders. This is a flagrant violation of international law, the Fourth Geneva Convention in particular, as it constitutes the confiscation of occupied land and restricts the freedom of movement of the Palestinians. The wall is a brazen flouting of the road map and the two-State vision adopted by our Council. The Israeli Government's attempt to impose a fait accompli upon the Palestinian people is unacceptable and may move them to even greater despair and frustration. Accordingly, the Council must adopt a resolution that sends a clear message to the current Israeli Government.

The Middle East sorely needs initiatives of good will rather than separation walls. Security cannot prevail in the face of continual psychological and material obstacles. Rather, it requires Israel to demonstrate true political resolve to engage in the peace process and to end the occupation, thereby enabling the Palestinian people to establish their independent State on their own soil, with Jerusalem as its capital, in the context of international legitimacy and the relevant resolutions.

The President: I give the floor to the representative of Brazil.

Mr. Sardenberg (Brazil): This debate is taking place against the backdrop of an increasingly serious situation in the Middle East. The stalemate in the peace process jeopardizes the stability of the whole region, as recent tragic developments prove only too well. This situation of virtual paralysis, which is conducive to the escalation of tension and hostilities, demands the permanent engagement of the Security Council.

The follow-up of the situation by the Council on the basis of its monthly assessments is now insufficient and is putting the Council's credibility at risk. Unless prompt and concrete measures are adopted, we may be faced with a full-scale crisis beyond our control.

Brazil has had many opportunities to express its condemnation of all acts of violence and all forms of terrorism. We have voiced our dismay at the spiral of brutality, founded on retaliation and revenge, that characterizes daily life in parts of the Middle East. Too many innocent lives have already been claimed.

Peace will not be achieved by merely forcing the hand of one party until it finally capitulates. Only the resumption of negotiations that result in a just and comprehensive agreement can pave the way for lasting peace for all the peoples in the region. In this regard, the construction of a separation wall and the announcement by the Israeli Government of new settlement activities in the occupied territories further discourage the trust and confidence that are indispensable at this moment.

We call upon the parties to return to the negotiating table and, with resolute and bold steps, to begin the implementation of the road map. The parties must do their best to make the road map work. The creation of a Palestinian State, in accordance with the legitimate aspirations of its people, and a State of Israel, living within internationally recognized borders, is the only way of ensuring peace and stability in the Middle East. The Government of Brazil reiterates its willingness to contribute to any initiative, under the auspices of the United Nations, which may lead to that end.

The President: I give the floor to the representative of Indonesia.

Mr. Jenie (Indonesia): Allow me at the outset to express the appreciation of my delegation to you, Mr. President, for having convened this important meeting to address the alarming situation in the Middle East, particularly in the occupied Palestinian territories.

Indonesia is gravely concerned about Israel's continuing territorial expansion through its illegal construction of settlements, outposts and road networks, and the accompanying demolition of Palestinian homes and property. This ongoing process has undoubtedly changed the status quo.

This situation has further worsened with the illegal construction of the wall in the West Bank and other areas by the Israeli Government. The construction of the wall not only amounts to the illegal confiscation of Palestinian land, but also impoverishes the affected Palestinian communities. Indeed, the construction of the wall further disrupts the delivery of basic social services, thereby making life even more difficult for the Palestinians in those areas.

The most recent report of the Committee on the Exercise of the Inalienable Rights of the Palestinian People noted that the construction of the wall is taking place deep — as much as 6 kilometres — inside the West Bank, and that vast areas of land are being seized and bulldozed. Indeed, the completed construction has resulted in the unlawful confiscation of 2,850 acres of high-income Palestinian land, and the process is still going on. We cannot let this continue, because the main objective of this policy is obvious: it is designed to erode the capability of Palestine to survive as an independent State in the future.

Needless to say, Israel's construction of the wall is capable of derailing the Middle East peace process, plunging the region into a deeper cycle of violence and threatening the road map. My delegation continues to maintain that the road map currently represents the most viable vehicle for a solution to the challenge of peace between the Palestinians and the Israelis and the actualization of an independent Palestinian State by 2005. The Israeli policies must therefore cease and be reversed immediately.

Finally, Indonesia shares the views of other countries of the Arab Group, the Organization of the Islamic Conference and the Non-Aligned Movement in condemning Israel's ill-considered policies, including the construction of the wall and the continuing resettlement plan. Such activities are illegal under international law.

My delegation is also of the view that the proposed draft resolution on the situation in Middle East is not only timely, but also necessary if a comprehensive resolution of the conflict is to be achieved. Given this situation, Indonesia calls for its adoption by the Security Council.

The President: I give the floor to the representative of Turkey.

Mr. Pamir (Turkey): At the outset, I would like to congratulate you, Sir, on your assumption of the presidency of the Security Council, and wish the delegation of the United States every success in its important duty.

My delegation associates itself with the statement to be made by the representative of Italy, on behalf of the European Union. Our concerns are reflected in that statement, which underscores the fragility of the situation on the ground. The recent cycle of violence has, indeed, demonstrated how vital it is for both parties to comply with their respective responsibilities and start the implementation of the Quartet road map. In the light of Turkey's special historical, friendly ties with both Israel and the Palestinians, I would like to make some additional comments.

Turkey is of the view that the separation or security wall which is being constructed in the West Bank further complicates the context in which we must pursue our efforts to bring Israelis and Palestinians together to achieve peace and security. In fact, the construction of the wall adds a new level of complexity to the existing web of issues awaiting resolution in the Palestinian-Israeli conflict.

We recognize Israel's legitimate security needs. We are concerned, however, about the construction of such a barrier by the Israeli Government. The structure that is being built is aggravating the dire conditions of the Palestinian people. We are concerned that once the wall has been completed, it will separate the Palestinian communities, causing them to live in isolation from one another in cantons in the West Bank. Furthermore, the fact that the wall as constructed goes deep into the Palestinian territories does not bode well, given the number of already vexing issues, including the status of Jerusalem.

As such, the wall is damaging to the political, security and socio-economic processes envisioned in the road map. It is becoming one of the most visible obstacles to the objective of achieving a just and lasting peace in the region. Establishing security is, indeed, of paramount importance, but the Palestinian-Israeli conflict has several other dimensions which also need to be addressed forthwith. Any improvement in the daily lives of the Palestinian people, who are struggling for their survival — any development that would ameliorate the living conditions of the beleaguered Palestinians — would, in our view, reflect positively on the security situation on the ground and create a much-needed platform for contact, which must be resumed between the two sides.

Clearly, the Palestinians must be resolute in fighting the perpetrators of the heinous acts of terror, and should immediately start dismantling the terrorist infrastructure by every means. Murder and violence cannot be allowed to define a just struggle.

The wall, on the other hand, is a blunt tool which punishes a whole people and casts doubt on the

intentions of the State of Israel. Full adherence to the requirements of the road map will prove to be the safest solution available to both Israel and the Palestinians.

The President: I now call on the Deputy Permanent Observer for the Organization of the Islamic Conference to the United Nations.

Mr. Hajihosseini (Organization of the Islamic Conference): At the outset, I would like to express to you, Mr. President, our profound thanks for convening this important meeting at the request of the Arab Group, supported by the Non-Aligned Movement and the Organization of the Islamic Conference (OIC).

As this is the first time this month that we have addressed the Council, we congratulate you, Sir, on your assumption of its presidency for the current month, and wish you every success in your stewardship of this body. We also extend our thanks and appreciation to Sir Emyr Jones Parry, Permanent Representative of the United Kingdom, for his leadership in steering the work of the Council so well last month.

While the illegal construction of Israeli settlements on Palestinian lands remains a clear manifestation of Israel's colonial policies, in 2003 the processes of territorial expansion have taken a different form. Israel's so-called security fence in the West Bank is its most recent — and one of the most blatant — manifestations of its policy of continuing its territorial expansion.

The construction of the wall itself constitutes a flagrant violation of international law and international humanitarian law, as it seeks to effectively alter the territorial integrity of the West Bank and accomplish the de facto annexation of the occupied Palestinian territory. The wall furthers the "bantustanization" of the West Bank into hundreds of small, dependent entities that cannot sustain themselves and that are more akin to small, disconnected open-air prisons surrounded by Israeli military checkpoints and settlements. The form of apartheid Israel practises against Palestinians meets all the criteria of the crime of apartheid as defined in the 1976 International Convention on the Suppression and Punishment of the Crime of Apartheid.

In a position paper dated April 2003, the Israeli Information Centre for Human Rights in the Occupied Territories, B'Tselem, stated that past experience indicated that Israel took advantage of its ability to restrict Palestinian movement in the occupied territories to accomplish forbidden objectives and was driven by considerations unrelated to its security. It went on:

> "It is reasonable to assume that, as in the case of the settlements, the separation barrier will become a permanent fact to support Israel's future claim to annex territories."

The heads of Christian churches in Jerusalem on 26 August 2003 issued a statement affirming their belief that the consequences of the proposed separation wall around Bethlehem, the birthplace of Jesus Christ,

> "will be devastating to the Christian community; not least because of the psychological impact on daily life. The community will be isolated following the deprivation of access to land and the freedom of movement. Visits of pilgrims will be further discouraged."

They also said: "the separation wall constitutes a grave obstacle ... For both nations the Wall will result in a feeling of isolation."

In their final communiqué issued at their annual coordination meeting held in New York on 30 September, the Ministers for Foreign Affairs of the OIC member States condemned the building of the expansion wall, involving the confiscation of thousands more dunums of Palestinian land, the isolation of dozens of Palestinian villages, towns and cities and the destruction of property and the livelihood of thousands of Palestinians.

Clearly, Israel, as the occupying Power, has unequivocally and consistently failed to adhere to its obligations vis-à-vis the Palestinian civilian population in accordance with international law and international humanitarian law. This situation has prevailed for the last 36 years, but has become particularly acute since September 2000.

The impunity being granted to Israel also serves to encourage further violations, including grave breaches, of the Geneva Conventions and the Hague Regulations.

We have consistently called for an international protection force as an enforcement mechanism and first

step towards the withdrawal of the Israeli occupation forces from the occupied Palestinian territories, and the dismantlement of the occupation. We reiterate that demand. In the light of the escalating violence perpetrated against Palestinian civilians by the Israeli military throughout the occupied Palestinian territories, such a protection measure has become ever more necessary.

In history, the Council will bear the responsibility for further immeasurable bloodshed and destruction if it fails to act, thus allowing Israel to continue its construction of the wall, its settlement policies and the perpetuation of its illegal occupation of Palestinian and Arab territories.

We reiterate that the root cause of the present conflict in the region is the continuing illegal Israeli military occupation of the Palestinian territories, including Jerusalem, and of Arab territories since 1967.

The only way out is for the Council to compel Israel to stop its brutal and bloody military campaign against the Palestinian people, to stop its colonial settlement policies and to return to the conference table, as envisaged in the peace process in order to end Israel's occupation of the Palestinian and Arab territories and to ensure that the process is pursued and concluded in a judicious and constructive manner.

The President: I now call on the Ambassador of Italy.

Mr. Spatafora (Italy): I have the honour to speak on behalf of the European Union. The acceding countries Cyprus, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, Slovakia and Slovenia, the associated countries Bulgaria, Romania and Turkey, and the European Free Trade Association countries Iceland and Liechtenstein, members of the European Economic Area, align themselves with this statement.

The European Union expresses its strongest concern over the upsurge of violence in the Middle East. Our priority is to call all parties concerned in the region to exert maximum restraint, stop violence and respect their obligations in order to make rapid progress towards full implementation of the Quartet's road map.

The European Union is strongly opposed to the construction by Israel of a separation wall in the West Bank, and urges the Government of Israel to stop its construction in the Palestinian territories, including in and around Jerusalem, and other illegal activities, such as the confiscation of land and the demolition of houses, that it entails. It undermines Palestinian trust in the road map and appears to prejudge the final borders of a future Palestinian State. The current and planned path of the security fence is unacceptable.

The European Union also calls on Israel to freeze all settlement activities. They create a material obstacle and a fait accompli that would prevent the realization of the two-State solution, as laid out in the road map accepted by the two parties at the Aqaba Summit on 4 June 2003. As a result, a negotiated peace settlement would be much more difficult to achieve. The inadmissibility of the acquisition of territory by force is a fundamental principle of resolution 242 (1967), on which any peace process must be based.

The European Union condemns in the strongest possible terms the vicious terrorist attacks against Israeli citizens. Such attacks, including last week's suicide bombing in Haifa, which once again caused the death and injury of numerous innocent civilians, are not only morally indefensible, but damage the interests of the Palestinian people. The European Union expresses again its deepest condolences to the families of the victims.

The European Union considers the authors of these acts enemies of peace. It strongly urges the Palestinian Authority to take all immediate, decisive steps against individuals and groups conducting and planning violent attacks. The European Union further calls on all States to end the harbouring and support, including fund-raising and financial assistance, of any groups and individuals that use terror and violence to advance their goals.

The European Union renews the call to all Palestinian organizations to immediately declare a ceasefire. It calls on Israel to abstain from any punitive measures, including extrajudicial killings and collective reprisals, and to act in accordance with international law.

The European Union understands the security preoccupation of Israel and recognizes its legitimate right to self-defence in the face of terrorist attacks against its citizens. The European Union also stresses that the fight against terrorism must be carried out in full respect for the principles and rules of international law and international humanitarian law. It reaffirms its

belief that only a negotiated settlement of the conflict, leading to the end of the occupation and the creation of a viable Palestinian State alongside Israel, will bring the security that Israel is entitled to.

Also in the context of international law, the European Union calls on the Government of Israel to exert maximum efforts to avoid civilian casualties. Therefore, the Government of Israel, as the road map states, must

> "take no action undermining trust, including deportations, confiscation and/or demolition of Palestinian homes and property, destruction of Palestinian institutions and infrastructure; and other measures specified in the Tenet Work Plan."

The European Union calls on the Government of Israel to take immediate steps to ease the humanitarian and economic plight of the Palestinian people, including through easing the movement of people and goods and ensuring access to international humanitarian organizations. The European Union reaffirms that settlement activity must stop.

Finally the European Union reiterates its call on the Government of Israel made on 12 September not to implement the decision in principle to expel the Chairman of the Palestinian Authority.

The European Union reaffirms the strategic importance of the Palestinian Authority as a partner for peace. It reiterates its call on the Palestinian Authority to undertake visible efforts to dismantle terrorist organizations and to pursue economic and security reforms. It assures the Palestinian Authority of its full support to achieve these objectives, and expresses its support for the formation of a stable and empowered Palestinian Government.

The European Union strongly believes that to achieve a lasting, just and peaceful settlement of the conflict and a comprehensive peace in the region, including Syria and Lebanon, there is no alternative to the speedy implementation, in good faith, by all sides of the Quartet road map, which contains clear timelines for the establishment of an independent and viable Palestinian State, living side by side with Israel, together in peace and security and for the normalization of Arab-Israeli relations. The European Union underlines the need to move quickly towards political negotiation among the parties with the support of the international community.

The European Union reaffirms its commitment and the need for determined and coordinated action by the international community, and draws the attention of the parties to the statement (S/2003/951) of the Quartet of 26 September. The European Union is maintaining close contacts with all the parties involved, and is ready to assist them in their implementation of the road map. It also emphasizes the vital need for an effective and credible monitoring mechanism in the field, which is essential to that implementation, and stands ready to participate and contribute to it.

The President: I call on the Ambassador of Norway.

Mr. Løvald (Norway): Again, the situation in the Middle East is causing great concern. The implementation of the road map has stalled. The logic of violence is prevailing, as it has so many times before. Norway urges the parties to resume implementation of the road map, which has the backing of the international community and the acceptance of both parties.

Norway has repeatedly condemned terror. Norway's Foreign Minister will repeat this condemnation in no uncertain terms when he meets with President Arafat today. Furthermore, we will call on President Arafat to ensure that Palestinian security organizations are consolidated and will be reporting to an empowered interior minister.

Norway recognizes Israel's legitimate right to self-defence. However, we note with great concern the recent decision of the Government of Israel on the routing of the second phase of the wall, which in most places runs illegally deep into the West Bank.

The chosen route will have several undesirable side effects. It will result in the confiscation of Palestinian land. It will prevent farmers from reaching their land and crops. The residents of several Palestinian villages will have their freedom of movement further curtailed. The Palestinians see the route as creating facts on the ground and as an attempt by the Government of Israel to unilaterally decide the borders of the future Palestinian State. Building the wall on Palestinian land is undermining the Palestinians' confidence in the peace process, and is thereby endangering the prospects for a two-State solution.

The Norwegian Government would have preferred to see no wall erected between Israelis and Palestinians, as we deem it hard to see the fence as a means to sustainably address the security problems facing the Israeli and Palestinian populations. That can be done only by ending the occupation and establishing a Palestinian State living side by side in peace and security with Israel. However, if the Government of Israel chooses to continue to build the wall, it must be built along the Green Line, and not on the West Bank. Norway urges the Government of Israel to reconsider the routing of the wall and to build the wall along the Green Line or on Israeli territory instead.

The President: I call on the Ambassador of New Zealand.

Mr. MacKay (New Zealand): New Zealand strongly supports the efforts of the Quartet to work towards a peaceful resolution of the Israeli-Palestinian dispute through the road map. We are very concerned at the tragic increase in violence that has occurred over the past few months. An appalling example is the recent attack in Haifa, where, again, innocent people, including women and children, were maimed and killed. New Zealand expresses its deepest sympathy for all the victims of violence, both Israeli and Palestinian.

This needless suffering highlights once more the need for both sides, with the support of the international community, to focus on finding a resolution to this conflict. We call on Israeli and Palestinian leaders to commit to the peace process and to implement their respective obligations under the road map. They must not allow the acts of a few to destroy the hopes of all for peace.

Israel has the right to act to preserve the security of its people, but the construction of a security wall taking in areas of the West Bank serves only to undermine the peace process and the trust needed for constructive negotiation and dialogue. We urge Israel to reconsider its decision to proceed with this wall.

Now is the time to show leadership through restraint and to break the escalating cycle of incident and response, which is eroding the prospects for the road map. Extremists are cynically using violent attacks to disrupt efforts to bring about peace. Assassinations, settlement activity and heavy-handed military responses help to ensure that this tactic succeeds.

New Zealand welcomes statements from Palestinian leaders condemning the Haifa attack and renouncing terror. The Palestinian leadership must take tangible steps to demonstrate its commitment to stopping extremists from committing such acts. New Zealand has been encouraged by the efforts that have been made at reform this year, including the appointment of the first Palestinian Prime Minister. That progress must not be allowed to falter and we look forward to further steps at reform under the new Prime Minister.

The President: I now give the floor to the representative of Lebanon.

Mr. Kronfol (Lebanon) (*spoke in Arabic*): The extremely grave situation prevailing in the occupied Palestinian territories has already had such serious negative implications for the entire Middle East region that it has become a cause of great concern for all countries and peoples of the world. One of the threats arising today is Israel's ongoing construction of a huge racist wall, designed, inter alia, to seize large tracts of Palestinian land and annex them to the Zionist entity; to lay siege to the Palestinian people, increase their isolation and cut them off from their natural physical environment; and to turn Palestinian territory into isolated pieces of land subject to oversight and control by the colonial military settlements, which continue their creeping expansion, undermining the territorial integrity of the would-be Palestinian State and preventing the population of the territories from travelling to their capital in East Jerusalem and gaining access to their holy places of worship.

The construction of this wall falls within a larger scheme that is plain to see. The scheme is now being implemented in graphic detail in the Gaza Strip, one of the most densely populated regions in the world, which Israel is tearing apart by force into four segments, with a view to attaining the political and economic subjection of the Palestinian population to Israeli control and to severing its only outlet to the world: the Arab Republic of Egypt.

What is called a wall is in fact an integrated system of large projects, including highways, bypass roads, observation towers, electronically operated bunkers for automatic weapons, lighting systems on both sides of the wall and military barracks. The wall is three times that of the Berlin wall. Construction costs are so astronomically high that the Israeli State has

been unable to finance the wall on its own and thus has had to make use of foreign credit guarantees.

The expansionist policy pursued by Israel since its creation in 1948 and practised for more than half a century has created a huge humanitarian crisis for the Palestinian people. That has resulted in the displacement of some 4 million Palestinians, who have been uprooted by Israel from their land and turned into refugees. Among that population, an entire generation knows almost nothing beyond life in refugee camps in the West Bank, the Gaza Strip, Lebanon, Syria, Jordan and several other countries and whose members are prevented by Israel from returning to their homes.

Israel has continued to build colonial settlements in the Palestinian and other Arab territories occupied by it since 1967, despite United Nations opposition to the Israeli settlement policy, which is in open defiance of the will of the international community and the relevant resolutions of the Security Council and the General Assembly, which consider the construction of Israeli settlements in the occupied Arab territories to be a violation of the norms of international law and the Fourth Geneva Convention of 1949.

The construction of this wall is the culmination of a security scheme covering all settlements illegally built by Israel on the occupied Palestinian territories since 1967 and consolidating those settlements as a prelude to devouring the territories and annexing them to the Zionist entity.

The Israeli representative said this morning before the Council that after his country withdrew from southern Lebanon in May 2000 it had built a wall similar to that now under construction in the occupied Palestinian territories and that Israel had moved part of that wall 95 centimetres, at the cost of millions of dollars, in deference to the Secretary-General's wishes.

If those words are true, and if that is Israel's logic, then the question that arises today is: why has Israel not withdrawn in response to the calls by the international community and world public opinion? Why does Israel not respond to the call by the Secretary-General and the international community to stop the construction of the wall on Palestinian territory? Those calls have been made for more than two years now. Why has Israel waited for 22 years — and waged three wars and hundreds of air raids until it was forced to withdraw from southern Lebanon — to build this wall?

That withdrawal took place because we upheld our rights and because the international community also upheld those rights. Israel's withdrawal from southern Lebanon came under pressure from the resistance in southern Lebanon. Despite Israel's construction of the wall, Israel continues to occupy the Shab'a farms. The construction of the wall along the Blue Line did not prevent Israel from committing acts of aggression against Lebanon and waging air raids and other deliberate strikes against Lebanese territory.

The Palestinian people endure nothing but tragedy as a result of this overt plunder of its territories and assets and of the standard accusation against the Palestinians of being terrorists. Palestinians are pressured and executed because they demand their legitimate rights not to have their homeland torn apart and to prevent the pillaging of their natural resources by Israeli settlers under the protection of the Israeli occupation army.

The continuation, by Israel, of the construction of the wall will isolate Israel itself from the whole world and from its natural physical environment — politically, humanely and economically. The near future will prove that Israel, instead of forcing the Palestinian people to live in isolation, is actually creating a much greater isolation for itself, an isolation in a ghetto similar to those horrendous ones known in European history. The Government of Israel will thus destroy all prospects for the revival of the peace process, especially the peace offered in the Arab peace initiative, adopted at the Beirut summit in 2002.

If the Government of Israel continues to brush aside the advice offered by the friends of peace and the international community, and persists in the construction of the wall, that construction will be yet another testimony to the continued injustices committed by the Government of Israel against the Palestinian people and proof of the selfishness and inhumane attitude of the Israeli people.

Lebanon, which has been directly affected by the displacement of the Palestinian people since 1948 and continues to live side by side with this valiant people and to resist this tragedy, does not accept that these people continue to live in isolation as prisoners of the occupation within a new, large Israeli prison.

Therefore Lebanon appeals to the Security Council to adopt the draft resolution, submitted by the Arab group, which considers the construction by Israel,

the occupying Power, of this wall in the occupied Palestinian territories as a violation of the 1949 armistice line. The draft resolution also states that this construction is illegal on the basis of international law and requires the end of construction on the wall, the demolition of those portions that have already been built and the restoration of the status quo ante.

Until the establishment of a comprehensive and just peace leading to the establishment of a sovereign Palestinian State that would include all national Palestinian territory — according to the 4 June 1967 borders — with Jerusalem as the capital, we hope that the Council's resolutions will uphold the status of the United Nations and its central role in bringing about justice and building peace.

Mr. Taha (Sudan) (*spoke in Arabic*): Allow me to read to you the statement of the permanent representative of Sudan, who was unable to attend this meeting.

It gives me pleasure to congratulate you on your assumption of the presidency of the Security Council for this month. We are fully confident that thanks to your wide experience, you will lead the deliberations of this important organ to the just and desired results on all the burning international issues, foremost among which is the situation in the occupied Arab territories, which are daily moving swiftly and irreversibly towards the brink.

Here we are again, meeting in this hall for the third time in less than a month to rehash the same repetitive statements. We all look forward to a just and decisive decision that will at least return credibility to this international organ, let alone return an iota of security to the Palestinian people.

We repeat our calls in this hall to no avail. There is no point in describing the situation in the occupied territories, since it is well known by all. Also well-known is the huge number of Council resolutions that remain ineffective, not a single provision of which has been implemented, because of Israel's flagrant defiance of international legality and its contempt for the resolutions of this Council. The Council stands without action in the face of all this, so much so that this organ has been accused by the majority of the peoples and countries of the world of acting unjustly towards the rightful owners of the land instead of discharging its responsibility to compel the usurping conqueror to abide by the resolutions.

The world saw in the road map a glimmer of hope that could lead to peace and put an end to the plight of a people who have been facing State terrorism for decades. But now that glimmer of hope has turned into a hail of bullets, thus aborting the efforts of the international community and the Quartet. The series of invasions of cities in the West Bank and the Gaza Strip and the assassinations of the symbols of the resistance have continued, and the Palestinian territories have turned into Bantustans that are isolated from each other.

Israel, not satisfied with this, went further, proceeding to the construction of an expansionist wall that devours a significant amount of Arab land, without paying any heed to the repeated calls by the international community to not commit such a crime. At the same time, Israel continues its threats to deport the democratically elected President, Yasser Arafat, and continues its act of aggression against sisterly Syria.

The construction of this expansionist wall constitutes a terrible slap in face to international legality in general and to the Security Council in particular. The Council continues to be a bystander, a spectator watching Israel forcibly devour the Palestinian territories by the construction of this wall, driving the last wedge between it and the legitimate owners of the land. Israel puts the last nail in the coffin of any political settlement by means of the road map, in choosing the military option in this sensitive and volatile part of the world. This Council, today more than ever before, is called upon to adopt a decisive and just stand that will restore the authority of the Council before returning the road map to its proper track.

The President: I call on the Ambassador of Nepal.

Mr. Sharma (Nepal): Mr. President, at the outset, let me congratulate you on your assumption of the Presidency of the Security Council for the month of October 2003, and for the outstanding manner in which you have been able to conduct the business of this Council. I also thank you for convening this timely open debate on the situation in the Middle East, including the Palestinian question.

John Maynard Keynes said, "In the long run we are all dead." A whole generation has passed while we try to resolve the Middle East problem, and it is our passion for the short-term solution that has kept the

region at the boiling point and prevented a comprehensive solution to the problem for a whole generation. It is about time that the international community took a bolder step.

Nepal has always spoken very clearly about the Middle East. Israel has the right to live in security, within secure borders, and to protect its people and its property. Palestinians have the right to a viable State — secure, peaceful and within the 1967 borders.

We have consistently denounced the excessive use of force by Israel against innocent Palestinian civilians and attacks by Palestinians against innocent Israeli civilians. After more than a half-century of conflict and bloodshed, everyone should understand that there can be no solution to the Middle East problem through violence. Only constructive dialogue and flexibility from both sides will lead to a comprehensive and durable peace in that troubled region. Reflexive violence and counter-violence will only worsen the situation, as we have witnessed.

Indeed, suicide bombings drive the Israelis into despair. By the same token, the building of Jewish settlements and the presence of Israeli security forces in Palestinian territories, as well as the excessive use of force against innocent Palestinians, drives them into despair as well.

The security wall Israel has been building has further fueled the flames. Nepal would have no difficulty had Israel erected the security wall on its own territory, but building a wall within the Palestinian territory is absolutely unacceptable.

Nepal is opposed to Israel's attack on Syria for three reasons: first, it is illegal to attack another country without explicit provocation; secondly, it sets a very wrong precedent; thirdly, it can give a sense of impunity to larger or more powerful States that might wish to attack their smaller or weaker neighbours without justifiable reason.

Nepal urges both sides to stop trading charges and to sit down at the negotiating table and find a comprehensive settlement to this long-festering problem.

The international community might have limited options to bring peace and normalcy to the Middle East, but it certainly has not run out of options. The Quartet, with the help of the wider world community, could find a way to implement the road map.

Nepal shares the Secretary-General's view that bold steps, in keeping with the road map, are now necessary to salvage the peace, as small steps have not worked.

Some ideas might not be relevant at a certain time, but could be at another. The world community should not allow the unconscionable bloodshed in the Middle East to go on. At some point, it needs to take steps to protect the people and property of the two sides to the conflict.

Maybe it is time to consider disengaging the two conflicting parties by deploying international forces along the 1967 borders to keep the peace while the two parties negotiate a final settlement.

I urge the Security Council to do everything in its power to stop the bloodshed and help the region to achieve a comprehensive peace. The people of the Middle East deserve it, and the international community has the obligation to help ensure that it happens.

The President: I now call on the Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People.

Mr. Fall (Senegal), Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People (*spoke in French*): Mr. President, I am sure that you can understand how pleased I am to see you presiding over the work of the Council, given the key role that your country, the United States, is playing in trying to achieve a negotiated and peaceful settlement in the Israeli-Arab conflict, and also because of the skill, determination and resolve with which you personally are carrying out your tasks as Permanent Representative.

I wish to convey to you, Sir, and to your predecessor from the United Kingdom, my warmest congratulations on a very fruitful presidency, and I wish warmly to thank you for giving the Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People the opportunity to take part in this important discussion on the situation in the Middle East, including the question of Palestine — most especially at a time when the Israeli Government is persevering relentlessly with the construction of a so-called security wall in the occupied West Bank and in the environs of East Jerusalem.

Once again we have come before the Council, this time to consider the implications and consequences of a decision that is controversial, to say the least — the decision taken by an Israeli Government, which, deaf to all appeals and confident of its impunity, is persisting in the unlawful construction in the occupied West Bank of a wall that in many places is located to the east of the Green Line.

According to a range of substantiated reports and testimony, the separation wall would cut as much as six kilometres into the West Bank, separating tens of thousands of Palestinians from their own environment while hermetically sealing off a number of Palestinian communities and areas. This would have grave consequences, undermining the territorial continuity of the future Palestinian State and thus prejudging the outcome of negotiations on final status.

To make matters worse, on 31 July the Israeli Defence Minister announced the completion of the first phase of that tremendous undertaking, which extends along some 145 kilometres and which resulted in the demolition of a large number of Palestinian houses and in the unlawful confiscation of more than 1,000 hectares of very fertile Palestinian land.

Worse still, the Israeli authorities have even issued expropriation decrees, with a view to building the so-called Jerusalem envelope fence, which would confine some 50,000 Palestinians on the Israeli side, cut off from the rest of Palestine. Built on Palestinian land, the wall geographically separates the Palestinian people and deprives them of their lands, their crops, their employment and essential public services, in particular in the areas of health and education.

In what has been denounced as provocation or an act of arrogance, the Israeli Government, according to recent reports, has just approved the second phase of the building of the Elkana wall in Jerusalem, where a distinct network of fences is apparently being built. Together with the United Nations and the Quartet, our Committee is deeply concerned at the dangers of a project designed to build this wall to the east of the Ariel, Kedumim and Immanuel settlements, thus extending the wall into areas which are 20 kilometres within the West Bank.

In breach of the Fourth Geneva Convention, these construction projects will have the effect of creating walled enclaves in which thousands of Palestinians would be confined in open-air detention camps, as the President of Doctors without Borders has described them. He, along with other observers, has denounced the Israeli policy of "confining a whole people within a pitiless system of domination and segregation".

For those reasons, our Committee has consistently expressed its concerns at the construction of the wall, although we understand perfectly well Israel's legitimate right to create security structures — on its own territory, however, not on that of another people and contrary to its wishes. Therefore, the Council will understand the general consternation over the scope of the construction work and the speed of its execution, which bode ill for the outcome of the ongoing negotiations on the final status and establishment of a unified Palestine State.

The wall is not only provoking resentment on the part of the Palestinian population, but is also aggravating tensions in an already devastated region and undermining stability for the long term, if not irreparably. Sadly, despite repeated appeals from the international community — particularly the Quartet of mediators and including Tel Aviv's own allies and friends — the Israeli Government is calmly proceeding to build this new infrastructure of hostility, deliberately taking the historic risk of obliterating the prospects of creating a unified Palestinian State — a vision that conforms to that of President Bush — and of annihilating the Palestinian Authority's praiseworthy efforts to induce the people to adopt measures promoting the peace process.

That is why it is essential that the international community — particularly the Security Council — persuade, if not compel, Israel to halt the construction of this wall and to dismantle the structures already built. Doing that will send a clear message of firm opposition to the building of this despicable wall, whose objective is to annex Palestinian lands on the basis of a fait accompli on the ground.

We implore the Council to do everything possible — with the Quartet's assistance — to bring about a reactivation of the road map, which remains the best alternative and the only way available to simultaneously guarantee security for the Israelis, the creation of an independent State for the Palestinians, and peace and stability in the entire region.

The heart of the conflict lies in Israel's perpetuation of the illegal occupation of the Palestinian

territory and in the commission of illegal acts related to that occupation.

In conclusion, I urge the Israeli leaders and their allies and friends, as well as all the members of the Security Council, to reflect on the very lucid, responsible and Promethean appeal by the Israeli Member of Parliament Avraham Burg, former President of the Knesset:

> "We must remove all the settlements — all of them — and draw an internationally recognized border between the Jewish national home and the Palestinian national home. The Jewish Law of Return will apply only within our national home, and their right of return will apply only within the borders of the Palestinian State."

There is no doubt that Israel must make clear choices, as urged by the former President of the Knesset:

> "... Jewish racism or democracy, settlements or hope for both peoples, false visions of barbed wire, roadblocks and suicide bombers, or a recognized international border between two states and a shared capital in Jerusalem."

May those words inspire us all — and first and foremost our Israeli friends.

The President: The Permanent Observer of Palestine has requested the floor to make a further statement.

Mr. Al-Kidwa (Palestine) (*spoke in Arabic*): This morning, the Security Council listened to a statement that represented a new standard — in terms of legal and political ugliness — in Israeli statements before the Council. Let me cite a few specific points to demonstrate that. The Israeli representative said

(*spoke in English*)

> "killing the innocent is wrong."

(*spoke in Arabic*)

I should like to add that the killing of innocents is wrong, regardless of whether those innocents are Israelis or Palestinians. That is precisely the difference between the attitude of the Palestinian side and that of the Israeli side. There is the difference between him and me, and that is one of the reasons for the situation we are currently facing.

My second point: the Israeli representative said that Israel has no choice but to build this wall. The only correct and possible option, as indicated by several previous speakers, is that it be built either along the armistice line of 1949 or within Israeli territory. The Israeli representative failed to cite a single reason for building the wall deep inside Palestinian territory.

My third point: the Israeli representative spoke of the wall as if it were another kind of wall, to the point that he denied the existence of any wall that isolates any portion of Palestinian society — as simple as that, right in front of the Council, even while the entire international community was looking at pictures of the wall. The city of Qalqilya alone — which has a population of 40,000 — is surrounded by the wall on all sides and has only one exit. That has not happened anywhere else in the world, even under the most horrendous circumstances.

My fourth point, which is perhaps the most serious: the Israeli representative, after stating that the Green Line is not a border line and that there is no sovereignty over the West Bank and Gaza, touched on his central point — that he considers the Palestinian territories to be not occupied territories but disputed lands. That is precisely the essence of the problem. What has changed is that the Israeli representative had the audacity to declare that position before the Security Council, despite the norms of international law and international humanitarian law and scores of relevant resolutions. In effect, the Israeli representative declared the Government of Israel's rejection of peace, of the road map and of any basis for a peaceful settlement between the sides. In effect, he rejected peace and declared that the crisis would last until the dissolution of the Government of war that he represents. That position must be strongly condemned, because with that position there will never be peace in the Middle East region. That is why there is a wall and settler colonialism on our lands. That is also why they reject the national existence of the Palestinian people.

I wish finally to raise a couple of points with regard to another matter. First, the Palestinian side welcomes the two proposals put forward this morning by the Permanent Representative of the Russian Federation. We are fully ready to cooperate with the delegation of the Russian Federation here at the United Nations regarding the idea put forward by the Russian Foreign Minister Mr. Ivanov, at the Quartet meeting. We hope, of course, that this will take place after the

Council has been able to take a clear stand regarding the expansionist wall, so that there will be concrete meaning for the steps that follow.

Secondly, we would like to express our appreciation to the sponsors of the draft resolution submitted to the Council today (S/2003/980). It is our hope that the Council will take action before the day is out and will act on the draft text, and it is our hope that it will be adopted so that the option of peace and the two-State option will remain viable.

The President: The representative of Israel has asked to make a further statement as well, and I give him the floor.

Mr. Gillerman (Israel): We are all tired, both figuratively and literally, so I will limit myself to a few brief comments. It has been a long debate, and like previous debates of its kind, those seeking to censure Israel have been long on propaganda and short both on fact and on self-reflection. I will not bother to respond to each of the accusations made. The tendency of the Palestinian observer for exaggeration and misrepresentation is well known. But I will say that it is difficult to see how these kinds of events help the peace process forward or encourage understanding between the parties.

Let us not forget that we would not be here today had the Palestinians agreed at least to negotiate in good faith the two-State solution offered at Camp David, rather than embark, on the orders of the Palestinian representative's sponsor, on a path of terrorism and destruction.

The fence is a direct outcome of that terrible, horrible Palestinian decision. Familiar talk of occupation as the source of all evil rings hollow when an opportunity to end the present situation was so clearly rejected by the Palestinian side. The message sent by that rejection, by the fact that no Palestinian State was established during the 19 years of Jordanian and Egyptian occupation of the West Bank and Gaza, and by the daily murder of innocent Israelis, is that this has nothing to do with so-called occupation. Not a single inch was so-called occupied between 1948 and 1967. It has to do with the rejection of the right of the Jewish people to self-determination and their ancient homeland, side by side with their Palestinian and Arab neighbours. When the Palestinian side and our Arab cousins are willing to rectify this and accept some measure of responsibility, the path to peaceful settlement will be laid out before us.

Unfortunately, the terror Israel is facing is global. It is not limited to one region or one conflict. The dilemmas Israel faces today are dilemmas other States, sadly, may well face tomorrow. We would urge delegations, before deciding how to respond to this issue, to think about this, and also to think of the lives that can be saved by this security fence, and the lives that could have been saved had it been constructed earlier, and to consider whether their energy, and the energy of the Security Council should be expended debating security measures adopted in self-defence, or addressing the terrorism that made such measures necessary.

The families that were wiped out last week in Haifa by the suicide bomber who infiltrated through an opening in the yet incomplete fence could be with us today if there had been a fence. Unfortunately, we cannot bring them back. But we can and must save other families who could face a similar fate. It is our duty to protect them, and it is the duty and obligation of the international community and the Security Council to see that we do.

The President: There are no further speakers inscribed on my list. The Security Council has thus concluded the present stage of its consideration of the item on its agenda.

The meeting rose at 4.40 p.m.

United Nations S/PV.4842

Security Council

Fifty-eighth year

Provisional

4842nd meeting

Tuesday, 14 October 2003, 10.45 p.m.
New York

President:	Mr. Negroponte	(United States of America)
Members:	Angola	Mr. Gaspar Martins
	Bulgaria	Mr. Tafrov
	Cameroon	Mr. Belinga-Eboutou
	Chile	Mr. Maquieira
	China	Mr. Cheng Jingye
	France	Mr. De La Sablière
	Germany	Mr. Pleuger
	Guinea	Mr. Sow
	Mexico	Mr. Aguilar Zinser
	Pakistan	Mr. Akram
	Russian Federation	Mr. Lavrov
	Spain	Mr. Menéndez
	Syrian Arab Republic	Mr. Mekdad
	United Kingdom of Great Britain and Northern Ireland	Sir Emyr Jones Parry

Agenda

The situation in the Middle East, including the Palestinian question

Letter dated 9 October 2003 from the Permanent Representative of the Syrian Arab Republic to the United Nations addressed to the President of the Security Council (S/2003/973)

This record contains the text of speeches delivered in English and of the interpretation of speeches delivered in the other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room C-154A.

03-55763 (E)

The meeting was called to order at 10.45 p.m.

Adoption of the agenda

The agenda was adopted

The situation in the Middle East, including the Palestinian question

Letter dated 9 October 2003 from the Permanent Representative of the Syrian Arab Republic to the United Nations addressed to the President of the Security Council (S/2003/973)

The President: In accordance with the decision taken today at the 4841st meeting, I invite the representative of Israel to take a seat at the Council table.

At the invitation of the President, Mr. Gillerman (Israel) took a seat at the Council table.

The President: Also in accordance with the decision taken at the 4841st meeting, I invite the Permanent Observer of Palestine to take a seat at the Council table.

At the invitation of the President, Mr. Al-Kidwa (Palestine) took a seat at the Council table.

The President: The Security Council will now continue its consideration of the item on its agenda. The Council is meeting in accordance with the understanding reached in its prior consultations.

Members of the Council have before them document S/2003/980, which contains the text of a draft resolution submitted by Guinea, Malaysia, Pakistan and the Syrian Arab Republic.

It is my understanding that the Council is ready to proceed to the vote on the draft resolution before it. Unless I hear any objection, I shall put the draft resolution to the vote now.

There being no objection, it is so decided.

A vote was taken by show of hands.

In favour:

Angola, Chile, China, France, Guinea, Mexico, Pakistan, Russian Federation, Spain, Syrian Arab Republic

Against:

United States of America

Abstaining:

Bulgaria, Cameroon, Germany, United Kingdom of Great Britain and Northern Ireland

The President: The result of the voting is as follows: 10 votes in favour, 1 against and 4 abstentions. The draft resolution has not been adopted, owing to the negative vote of a permanent member of the Council.

I shall now give the floor to those members of the Council who wish to make statements following the voting.

As no other members wish to take the floor, I shall now make a statement in my capacity as the representative of the United States.

The draft resolution put forward today was unbalanced and did not condemn terrorism in explicit terms. It failed to address both sides of the larger security context of the Middle East, including the devastating suicide attacks that Israelis have had to endure over the past three years. A Security Council resolution focused on the fence does not further the goals of peace and security in the region. We believe that all resolutions on Israeli-Palestinian peace should reflect the kind of balance of mutual responsibilities embodied by the Quartet's road map. That draft resolution did not do so.

All parties have responsibilities in bringing peace to the Middle East, to prevent outrages such as the Haifa attack and to deny perpetrators safe haven in their territory. Ending terrorism must be the highest priority.

The United States and our Quartet partners have engaged intensively to encourage Israel and the Palestinian Authority to take concrete steps towards the implementation of a road map to peace that has broad support within the international community and the United Nations. The destructive impact of terrorist bombings and the failure to dismantle the organizations and infrastructure that encourage those acts have slowed progress on the road map, but we will not be deterred.

We have repeatedly urged Israel and the Palestinian Authority to avoid actions that can lead to a further heightening of tension in the Middle East and to think carefully about the consequences of their actions. In addition, senior United States Administration officials are engaging directly with Israel on the matter of the fence.

For its part, the United States, with its Quartet partners, remains committed to the implementation of President Bush's vision of a two-State solution to the Israeli-Palestinian conflict, as set forth in the road map.

I now resume my function as President of the Council.

The Permanent Observer of Palestine has asked for the floor to make a statement. I give him the floor.

Mr. Al-Kidwa (Palestine) (*spoke in Arabic*): What has happened today in their Chamber is very regrettable. The inability of the Security Council to take a firm stand on a matter of strategic importance — namely, the expansionist separation wall — is very alarming in the context of the fate of the region and the possibilities of achieving a Palestinian-Israeli peace. Consequently, we must urgently find a way to redress what has taken place within the framework of the United Nations system. Of course, with the help of our friends, we will try to do just that.

Regardless of the outcome, we would like to express our thanks to the sponsors of the draft resolution that was voted on today, as well as to all the members of the Council who voted in its favour. They have indeed voted for peace.

The President: I now give the floor to the Ambassador of Israel.

Mr. Gillerman (Israel): The Security Council has yet again proved today that it is not a rubber stamp for incessant and hypocritical Palestinian and Syrian whims.

The Palestinian Observer has spent a lot of time blaming others today. He has blamed Israel; he has blamed the Council; and he has blamed a permanent member of the Council that has done more to support the cause of peace than any other State. The Palestinian Observer is indignant that the Council would not swallow whole his distorted portrayal of this conflict. The Palestinian Observer is also indignant that the nakedly one-sided, biased resolution that failed to draw attention to the Palestinian terrorism that is at the heart of the problem and that has been the very cause of Israeli defensive measures could not garner the support of the Council, which was acting in full consistency with its own rules of procedure and with the United Nations Charter. And he is indignant, despite the fact that he continues to consider it unacceptable for a resolution to condemn the murder of innocent civilians by Hamas, Islamic Jihad and the Al Aqsa Martyrs Brigade and call for their dismantlement, as required by the road map.

Perhaps for once the Palestinian Observer should stop looking for someone else to blame, for once stop this charade in the United Nations, where high-minded rhetoric is matched with resolutions designed to malign and distort, when all the while the Palestinian side refuses to do the one thing it is required to do – fight terrorism.

The Palestinian Observer has already indicated that he will now pursue the ritual emergency special session of the General Assembly, in violation of each and every condition for such a procedure. That way, we can all spend more time listening and considering how everyone but the Palestinian side is responsible for the present predicament.

Is it not time that we stopped these games? Instead of looking to Israel, to the Council, to the General Assembly, to the international community, to the Quartet for someone to blame, is it not time that the Palestinian side looked in the mirror, however unpleasant that image may be?

The President: The Observer for Palestine has asked for the floor.

Mr. Al-Kidwa (Palestine): This is just a personal note; I want to put on the record that I am indeed disgusted at the low level of the interventions made by the Israeli representative, including the last one.

The President: There are no further speakers inscribed on my list. The Security Council has thus concluded the present stage of its consideration of the item on its agenda.

The meeting rose at 10.55 p.m.

United Nations S/PV.4843

Security Council

Fifty-eighth year

Provisional

4843rd meeting

Wednesday, 15 October 2003, 10.30 a.m.

New York

President:	Mr. Negroponte	(United States of America)
Members:	Angola	Mr. Gaspar Martins
	Bulgaria	Mr. Tafrov
	Cameroon	Mr. Tidjani
	Chile	Mr. Maquieira
	China	Mr. Wang Guangya
	France	Mrs. D'Achon
	Germany	Mr. Pleuger
	Guinea	Mr. Sow
	Mexico	Mr. Pujalte
	Pakistan	Mr. Akram
	Russian Federation	Mr. Konuzin
	Spain	Ms. Menéndez
	Syrian Arab Republic	Mr. Atieh
	United Kingdom of Great Britain and Northern Ireland	Mr. Thomson

Agenda

The situation in Timor-Leste

Report of the Secretary-General on the United Nations Mission of Support in East Timor (S/2003/944)

This record contains the text of speeches delivered in English and of the interpretation of speeches delivered in the other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room C-154A.

03-55878 (E)

The meeting was called to order at 10.55 a.m.

Adoption of the agenda

The agenda was adopted.

The situation in Timor-Leste

Report of the Secretary-General on the United Nations Mission of Support in East Timor (S/2003/944)

The President: I should like to inform the Council that I have received letters from the representatives of Australia, India, Italy, Japan, Malaysia, New Zealand, the Philippines, Portugal, Singapore and Timor-Leste, in which they request to be invited to participate in the discussion of the item on the Council's agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite those representatives to participate in the discussion without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

At the invitation of the President, Mr. Guterres (Timor-Leste) took a seat at the Council table; at the invitation of the President, the representatives of the other aforementioned countries took the seats reserved for them at the side of the Council Chamber.

The President: In accordance with the understanding reached in the Council's prior consultations, and in the absence of objection, I shall take it that the Security Council agrees to extend an invitation under rule 39 of its provisional rules of procedure to Mr. Kamalesh Sharma, Special Representative of the Secretary-General for Timor-Leste and Head of Mission.

There being no objection, it is so decided.

I invite Mr. Sharma to take a seat at the Council table.

The Security Council will now begin its consideration of the item on its agenda. The Council is meeting in accordance with the understanding reached in its prior consultations.

Members of the Council have before them document S/2003/944, which contains the report of the Secretary-General on the United Nations Mission of Support in East Timor.

At this meeting, the Security Council will hear a briefing by Mr. Kamalesh Sharma, Special Representative of the Secretary-General for Timor-Leste and Head of Mission.

I welcome Mr. Sharma once again to the Council; I now give him the floor.

Mr. Sharma: It is a pleasure, Sir, to address the Council under your presidency, once again on the situation in Timor-Leste.

Since I last addressed the Council, in April this year, the mandate of the United Nations Mission of Support in East Timor (UNMISET) has been extended by the Council for another year, and the Mission now terminates on 20 May 2004. As my final statement before the Council will be on the eve of the conclusion of the Mission, I take this opportunity both to assess the situation in important areas of security and governance within UNMISET's mandate and to anticipate areas of continuing support post-UNMISET to which the Council is expected to give closer scrutiny early next year.

In the 17 months since UNMISET's establishment, the advances and gains made by Timor-Leste have been remarkable, particularly given the paucity of means and experience at the starting point. The country has made a determined start in various aspects of governance: open leadership, the enactment of legislation, the rehabilitation of infrastructure, responsible development planning and budgetary discipline, promoting the country's regional and global integration and, most important, commitment to democratic norms and personal freedoms. UNMISET and United Nations agencies and bilateral and multilateral partners have played a supportive role in strengthening the institutions of State, in advancing economic and social objectives and in enhancing State security. The example and wisdom of the leadership of East Timor — particularly President Kay Rala Xanana Gusmão, Prime Minister Mari Alkatiri, President of the National Parliament Francisco Guterres and Foreign Minister José Ramos-Horta — have been a decisive element in the confident and mature start provided to nation-building within the compressed period since independence. The progress made has been detailed in

the report of the Secretary-General (S/2003/944) now before the Council.

Even as we rightfully acknowledge the achievements, we must be cognizant that, in its current, nascent stage, the State will inevitably have areas of concern requiring both sustained attention on the part of State actors and continuing engagement and support on the part of development partners. While there have been no major security challenges over the past six months, reports persist of alleged sightings of armed groups by residents in rural areas and of the presence of criminal elements in those areas, particularly in the border districts. There is a risk that these may increase as downsizing progresses. A repetition of the incidents that took place in the earlier part of the year has to be prevented. In urban areas, civil disturbances, including sporadic violence among such groups as martial arts groups and youth gangs, and incidents related to smuggling, extortion and robbery carry the potential of undermining public perception of security. There is, therefore, legitimate concern as to potential threats to stability in rural and urban areas alike and there is particular nervousness among residents of border areas as the efforts to neutralize elements that can cause mischief and exert pressure on security in the border areas are still not complete.

There is apprehension lest capabilities be tested in the post-UNMISET period. The psychological and substantive requirements to preserve confidence in security arrangements, including mobility, particularly in the sensitive areas, will therefore be a priority consideration in assessing the longer-term needs of stability and security. It is important to appreciate that, in the backdrop of recent traumatic history, the consequences of violent incidents can be deeply unsettling and undermine public confidence.

The National Police of Timor-Leste (PNTL) now bear the responsibility for general policing duties in 12 out of the 13 districts. The entire national territory will be handed over operationally to the PNTL before the end of the year. During the last 17 months, UNMISET has not only continued with the training of the National Police force in Timor-Leste, but has also made concerted efforts, working closely with the Government of Timor-Leste, to strengthen the force, including its special units. A comprehensive plan of action has been prepared as a road map that addresses policy, administrative and legislative measures recommended by the joint assessment mission on the police. While intensified efforts in the next months will address certain institutional, training and performance issues, longer-term measures will require an increased effort by the Government, supported by the international community, to buttress the continued development of the PNTL as a professional, efficient and accountable force serving the people of Timor-Leste.

PNTL is a young and as yet inexperienced police service and it is doubtful that it will be able to respond effectively if it is tested by major internal security challenges in the period immediately following closure of UNMISET. It needs to mature and develop without being continually tested to the point at which it could falter, shaking its confidence and that of the community it serves. Operational support and further mentoring and training in specialized and professional policing skills will be required on a longer-term basis, as well as external reinforcing capability in sufficient strength in the areas identified.

Maintenance of professional standards in the fledgling police force is a core concern. There have been several incidents of breach of discipline and code of conduct and excessive use of force. Ensuring that police officers abide by human rights standards and maintain professional standards is a priority. The establishment of clear standard operating procedures and continued training on human rights and ethics need to be accompanied by effective disciplinary structures. I have been in frequent contact with the leadership on these matters, which is in complete agreement that decisive action needs to be taken to ensure discipline in and respect of human rights by the police force. Concrete action is envisaged in this regard.

The handover of defence responsibilities to the Government of Timor-Leste will take place at the end of UNMISET's mandate on 20 May 2004. The East Timor Defence Force is currently responsible only for one district, thus allowing the Defence Force to continue to focus on capability-development and individual and collective training activities. The development of the Defence Force continues to rely primarily on support from bilateral partners willing to provide equipment, training and facilities and will continue to do so for the foreseeable future. Given the programme of capability-development, it is understood that the Defence Force is not likely to become fully operational at required professional standards at the battalion level until around 2005-2006.

The military component of UNMISET has continued to downsize according to the revised schedule that was approved in Security Council resolution 1473 (2003). As they withdraw from the border areas, the Timorese agencies, particularly the border patrol unit of the National Police, are taking on increasing responsibilities for border management. The members of the unit have performed commendably in the last few months at all the border crossing points that they have taken over from the Peacekeeping Force of the United Nations Transitional Administration in East Timor, despite the handicaps they face in terms of logistics, availability of facilities in the remote border areas and equipment. UNMISET is working with the Government of Timor-Leste to address these shortcomings so that the unit can be self-sustaining. All junction points will be in the hands of the border patrol unit by the end of the month.

The rapid deployment service of PNTL, once trained and functional, will provide a response capability to deal with armed criminal groups in rural and border districts. Despite best efforts, however, it is not likely that these two crucial units, responsible for border and internal security, will have the confidence or maturity to handle security challenges independently by the end of UNMISET's mandate. They will continue to need advice and support as they exercise their new-found abilities. Apart from the requirement of support by specialized units, there are other areas in policing requiring support related to continuing professionalization, civilian supervision and additional capacities, such as the areas of forensics, transnational crime, counter-terrorism and trafficking, which will require continuing international cooperation.

Until Timorese security agencies are fully trained and equipped to perform the tasks currently undertaken by UNMISET's military component, international assistance in some form may also be necessary beyond the period of UNMISET's mandate. They could advise and mentor the Timorese security agencies in the various tasks of monitoring and managing the border, including assisting in liaison and thus enhancing cooperation with Indonesian security agencies at the border and providing psychological support to a population not yet prepared for complete withdrawal of the reassuring international presence.

I wish at this time to draw the attention of the Council to the very useful and necessary work that the engineers in UNMISET's military component have been doing in maintaining the major arteries of the road system in Timor-Leste. Without continued international support for this task, capacity for rapid response to security challenges post-UNMISET would be rapidly degraded all over the country. In the absence of aviation, rail and coastal traffic, the lack of reliable road links would in effect entail physical fragmentation and all its social, economic and security consequences. Continuing support and capacity-building in this area is essential to build on the excellent start made by the Japanese self-defence engineering group.

The evolving relationship between Timor-Leste and its only land neighbour, Indonesia, is a primary asset in the rapid and confident evolution of the nationhood of Timor-Leste. Constructive and cooperative relations between the two countries have continued to develop, mature and strengthen in diverse fields, and the exchange of high-level visits has reinforced them. Prime Minister Alkatiri visited Indonesia in June, and Foreign Minister Wirayuda of Indonesia visited Timor-Leste for the second meeting of the Joint Commission in September 2003.

The holding of two Joint Commission meetings in close succession attests to the desire to advance the substantive relationship. The political direction guiding the relationship from both sides is strong and forward-looking. UNMISET has attempted to contribute to this as appropriate, consistent with its mandate. As on previous occasions, I must again record my deep appreciation for the warm reception, supportiveness and high-level access accorded me by the leaders and officials concerned of Indonesia.

Both sides are cooperating, with mutual goodwill and cooperation, in the settlement of the border negotiations, residual refugee issues and the continuation of pension payments to former Indonesian civil servants. Finalization of the agreement on the land border between Timor-Leste and Indonesia is a key priority for both Governments. At the recent meeting of the Joint Ministerial Commission, both parties agreed to finalize agreement on the provisional border line by 30 November 2003, leading to an interim report of the joint border survey. However, meeting this deadline, although consistent with the latest work plan agreed at the technical level, will require additional efforts on both sides.

The two Governments are in touch with each other on the approaches required to tackle the question

of the residual refugees, which is important for the normalization of the border. As I stated earlier, accomplishing the formidable task of repatriating and resettling the bulk of the refugees through collaborative efforts between the two countries, supported by United Nations agencies concerned, has been a truly remarkable example of cooperation, which deserves to be better applauded. UNMISET, the Office of the United Nations High Commissioner for Refugees and the International Organization for Migration stand ready to assist both sides, as required. The resettlement of refugees, particularly the ex-militia elements, away from the border with Timor-Leste would also reduce a potentially destabilizing factor.

UNMISET has continued to provide support to the core administrative structures of the Government of Timor-Leste in 18 ministries, as stipulated in the mandate implementation plan, through its stability advisers. They have undertaken skills transfer and mentoring of Timorese counterparts, and assisted the Government in the delivery of essential services to the public. This process has on occasion been affected by the lack of enabling legal frameworks and of essential basic knowledge of the counterparts. It is clear that although the training provided to Timorese civil servants, both in the country and abroad, has helped to broaden the skills base, they will in many cases require further training courses in specific areas, both at home and abroad, with the assistance of bilateral and multilateral partners.

Following a recent needs assessment undertaken jointly by the Government of Timor-Leste, UNMISET and the United Nations Development Programme (UNDP) to ascertain the requirements of the Administration in the post-UNMISET period, the Government of Timor-Leste has identified some critical functions which it considers will require continued international support. Without international advisers in identified critical posts, the functioning of State institutions and public administration would be jeopardized. Since reliance on bilateral funding has produced mixed results, a reliable source of funding for critical posts identified for continuing support would need to be assured.

The vital institution of the judiciary is another critical area which will require continued international support. I need not emphasize the importance of a functioning justice system for ensuring the primacy of the rule of law. As the Secretary-General told the Security Council on 24 September in the ministerial-level meeting under the agenda item, "Justice and the Rule of Law: the United Nations role":

> "We have learned that the rule of law delayed is lasting peace denied and that justice is a handmaiden of true peace." (*S/PV.4833, p.3*)

The debate reiterated the centrality of the rule of law in the success or failure of peacekeeping operations and the nation State. The coherence of a State based on the rule of law and the outcome of other State functions depends upon the integrity of, and efficient delivery by, the judiciary — hence the need for the Council to ensure a continuing focus on and support for this area until the judiciary is firmly established as a pillar of the State.

It is widely acknowledged that the justice sector in Timor-Leste, which has had to be created virtually from scratch, is currently largely dysfunctional and must overcome many challenges. The myriad tasks include dealing with excessive delays in the courts; recruiting additional administrative staff; continued and consistent training for personnel, including judges; drafting and approval of key legislation; and the establishment of independent and transparent oversight mechanisms for the prisons.

The deficiencies in the justice sector are also having unintended secondary effects on police development and law and order enforcement. The Government, UNMISET and UNDP have completed reviews of the justice sector and developed a comprehensive justice sector support programme, identifying areas most in need of support from the international community. This crucial sector deserves and requires the continuing financial, training and human resources backing of the international community. Shortcomings in this sector have to be addressed in a holistic manner; ad hoc or short-term solutions will not suffice.

The problems that plague the justice sector also affect the delivery of justice in the serious crimes process. The schedule outlined in the mandate implementation plan for UNMISET indicated an expectation of completion of investigations by UNMISET's Serious Crimes Investigation Unit and the filing of indictments in respect of 10 identified priority cases, as well as of five additional investigations into widespread patterns of violence, by June 2003. The indictment in the tenth priority case was filed in early

July. The first-instance judicial process in respect of the 10 priority cases and the five concerning widespread patterns of violence may be completed by June 2004, provided all the trials can commence. However, it is clear that appellate procedures cannot be completed within that time frame.

Furthermore, the additional case load of some 850 murders, which fall into the category of serious crimes, will remain uninvestigated by June 2004. Some 75 per cent of those accused of serious crimes to date remain beyond the jurisdiction of the Special Panels in Dili, since they reside outside Timor-Leste. These factors, including the orientation of the Government of Timor-Leste, will need to be carefully evaluated with a view to taking appropriate decisions as UNMISET completes its mandate.

Social peace, security and stability are, of course, a prerequisite for sustainable gains in areas of governance and economic development. UNMISET also continues to work closely with the wider United Nations system of agencies, funds and programmes, and international financial institutions, as well as bilateral actors and civil society, in support of national programmes. I would like once again to acknowledge the sterling support given to me by Deputy Special Representative of the Secretary-General and Resident Coordinator Sukehiro Hasegawa.

As Timor-Leste moves forward in the longer-term process of nation-building, it faces formidable challenges in creating a favourable climate for sustainable social and economic development. In order to develop the private sector, the Government has taken steps to establish a legal framework for insurance companies. Key economic legislation, such as investment and company registration laws and the bankruptcy bill, is under consideration. Once promulgated, those laws are expected to augment investor confidence and strengthen economic growth. Still, transforming an agrarian and largely subsistence economy into a market economy generating jobs and entrepreneurial capacities will be a challenge for decades to come, nurtured by policies to encourage agricultural productivity and desired investments, lift trading volumes, increase the pace of activity and transactions and build professional services and a middle class.

I would like to emphasize the importance of continuing the process of inculcating and promoting a culture of respect for human rights in different activities, of which the Government is fully supportive. UNMISET's Human Rights Unit has contributed immensely to that process by training and advising and through capacity-building in the major institutions of the State, such as the judiciary, the police, and also in civil society. The role of the Human Rights Unit has been critical, not only for improving the quality of governance, but in supporting the work of the United Nations agencies in Timor-Leste. A human rights presence in the post-UNMISET period will continue to be needed to provide technical assistance to the Government in meeting its treaty obligations, establishing a national human rights institution, reviewing and developing legislation, mainstreaming human rights policy-making across the Government and in developing and implementing the National Human Rights Action Plan.

Timor-Leste has ratified the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW). Training and activities for its implementation are ongoing with the assistance of UNMISET's focal point for gender and the United Nations Development Fund for Women (UNIFEM), which has reopened its office in Dili, and the Government is preparing the first report to the CEDAW Committee. The gender focal point in UNMISET is actively leveraging all resources to pursue the tasks ahead. Strong proactive measures have been taken to effectively deal with the emerging ills of prostitution and trafficking before they are allowed to attain unmanageable proportions.

A brief word on HIV/AIDS: the incidence of HIV among the Timor-Leste population remains lower than 1 per cent. Nevertheless, UNMISET has taken several steps to spread awareness of the disease and is the only peacekeeping mission to provide voluntary counselling and testing services. We also encouraged and organized the visit by an HIV-positive person to the mission area to share his testimony as a prevention and behavioural change strategy.

With seven months remaining in the mandate of UNMISET, we will, together with the Government of Timor-Leste, redouble our efforts to realize all the objectives in the mandate implementation plan. Notwithstanding those efforts, however, it is clear that many emerging and some continuing needs will remain. The Timorese leadership and representatives of civil society, both national and international, with

whom I have had intensive consultations, have conveyed to me their strong belief that the impressive progress made so far through a comprehensive association with the United Nations should not be jeopardized in the absence of adequate support mechanisms, based on assured funding, after the completion of the mandate of UNMISET. That view is shared by many partner countries. Given the traumatic experiences of Timor-Leste's recent past, the nascent and fragile state of the new emerging institutions, the as yet unsettled security situation and the daunting challenges of nation-building, they have clearly indicated to me the centrality of the requirement of a continued United Nations presence to provide both psychological assurance and substantive support in the immediate post-UNMISET period. The Council will no doubt take all considerations into account in deciding on the best way in which the legitimate requirements of the country, guided also by Secretary-General's forthcoming report, could be ensured in the post-May 2004 period, even as UNMISET proceeds with the plans for a smooth liquidation of the mission, in which respect all timely and requisite measures have been taken.

UNMISET has also designed a training programme which will give an opportunity to develop new skills to our Timorese colleagues who will be affected by the downsizing process. The programme is designed to effectively leverage opportunities that could ultimately foster further development of the private sector, entrepreneurship and sustainable livelihoods.

The Secretary-General, in his report on the work of the Organization, stated that,

> "Peacekeeping and peace-building are two sides of the same coin, providing as they do assistance to societies emerging from conflict so that they can consolidate their fragile peace" (*A/58/1, para. 39*).

The process of strengthening the foundations for a lasting and stable peace, of fostering a culture of self-reliance and democracy and of building a State in which the people have choices and opportunities to enjoy a decent standard of living and in which their lives and property will be safe, within a society that respects human rights and the rule of law, has achieved remarkable progress but will continue to remain our challenge in Timor-Leste.

Mr. Wang Guangya (China) (*spoke in Chinese*): At the outset, I would like to thank the Secretary-General for his report (S/2003/944) and Special Representative of the Secretary-General Mr. Sharma for his briefing.

Over the past six months, the security situation in Timor-Leste has improved. Great strides have been made towards the country's economic and social development. Its external relations have also made steady progress. The overall situation is indeed encouraging. We congratulate the Government and people of Timor-Leste for their achievements and appreciate the efforts made by Mr. Sharma and the United Nations Mission of Support in East Timor (UNMISET). At the same, we can only cherish even more deeply the memory of Mr. Vieira de Mello, who made an outstanding contribution to Timor-Leste.

As a fledgling State, Timor-Leste is still faced with numerous difficulties and challenges in various areas, such as ensuring national security and maintaining and promoting economic and social development. Improving Timor-Leste's capacity in public administration, establishing and completing its justice system and building the police and national defence forces are tasks that especially require long-term efforts. The United Nations and the international community should continue to provide support to Timor-Leste to help the country ultimately achieve total self-reliance. We reiterate our support for the work of UNMISET. We hope that UNMISET will make full use of the remaining time of its mandate and will continue to make positive efforts for the nation-building of Timor-Leste. Moreover, we support the Secretary-General's proposal. We believe that the international community should begin considering the transitional arrangement to follow the end of the UNMISET mandate.

We encourage UNMISET and the United Nations bodies concerned to carry out close consultations with the Government of Timor-Leste, and on the basis of an assessment of the conditions of the country, to submit in a timely manner specific recommendations regarding the post-UNMISET period. At present, there is a trend of gradual decline in the foreign aid provided to Timor-Leste, which has affected the dynamism of the country's economic growth. We call on the donor countries, the United Nations system and international financial institutions to maintain their levels of

assistance to Timor-Leste to ensure that Timor-Leste will embark on the path of sustainable development.

China has always supported the people of Timor-Leste in their cause of independence and nation-building. We support the work of UNMISET. We will commit ourselves to the development of economic and trade cooperation with Timor-Leste in areas such as gas and oil development, agriculture and fisheries. We will continue to provide assistance for the economic reconstruction of Timor-Leste within the limits of our capabilities.

Mr. Tafrov (Bulgaria) (*spoke in French*): Before beginning my statement, I would like to extend the condolences of my delegation and my country on the killing of three United States diplomats in the Gaza Strip. Bulgaria categorically condemns this heinous terrorist act.

I would like to thank the Secretary-General for his report of 6 October 2003 (S/2003/944), and to thank his Special Representative, Ambassador Kamalesh Sharma, for his efforts on behalf of the international community and for his excellent work. The extensive and detailed analysis that he has just made is, once again, evidence of his dedication to his work. I also take this opportunity also to pay once again a most earnest tribute to the valuable contribution made to Timor-Leste by the unforgettable Sergio Vieira de Mello.

As an associated country of the European Union, Bulgaria fully aligns itself with the statement to be made soon by the representative of Italy on behalf of the Union. I would like to make a few brief comments in my national capacity.

My country welcomes the efforts of the Timorese Government to build a State of law based on the principles of democracy and respect for human rights. We greatly appreciate the Government's "open governance" initiative and President Gusmão's "open presidency" initiative. Those initiatives reflect a clear commitment to the process of building a responsible and representative network to govern the country.

In that context, we also welcome the resumption of the work of the Court of Appeal. Bulgaria agrees with the conclusions of the report of the Secretary-General of 6 October 2003 (S/2003/944). It should be noted that, despite the praiseworthy efforts of the United Nations Mission of Support in East Timor (UNMISET) and of local bodies, the Timorese Government continues to face serious problems and challenges. My country agrees with the view that the United Nations must find the best way to support Timor-Leste following the expiration of the UNMISET mandate.

Bulgaria supports Timor-Leste's policy to develop relations with neighbouring countries. Active dialogue with the Republic of Indonesia testifies to the determination of the two countries to develop fruitful cooperation. Bulgaria hopes that the two countries will seek the best solutions to unresolved issues — the demarcation of land and sea borders and facilitating cross-border transit with West Timor for those who live in the border region.

In conclusion, I would like to say that my country greatly appreciates the positive contribution made in Timor-Leste by such countries as Australia, Portugal and Japan.

Mr. Akram (Pakistan): I would like to thank Ambassador Kamalesh Sharma for his comprehensive briefing on the situation in Timor-Leste and for updating us on the progress made by the United Nations Mission of Support in East Timor (UNMISET). I would like to express our high appreciation to Ambassador Sharma for UNMISET's efforts in assisting Timor-Leste's transition to a fully independent nation-State. I think it would be timely for all of us to recall the great contribution made in the initiation and the establishment of this process in Timor-Leste by the late Sergio Vieira de Mello.

The UNMISET mandate is due to expire in seven months. While the mission has made considerable progress thus far, especially in three key programmes — stability, democracy and justice; internal security and law enforcement; and external security and border control — several challenges still remain. Some of these challenges will outlive UNMISET. Therefore, it is important that the role and responsibility of the United Nations should not simply end with the withdrawal of UNMISET. We agree with the Secretary-General's recommendation that an objective assessment of the country's future needs should be carried out, followed by the submission by the Secretariat of appropriate suggestions on the future role of the United Nations in Timor-Leste. We would look forward to any suggestions and recommendations from the Secretariat and Ambassador Sharma in that

regard. It is vital that the painstaking achievements of UNMISET and, before it, of the United Nations Transitional Administration in East Timor, should be sustained and further built upon.

Indeed, with the assistance of UNMISET and the international community, Timor-Leste has made remarkable progress since its independence in May 2002. However, a large part of the credit for that success must go to the people and the leadership of Timor-Leste. We congratulate the Government of Timor-Leste on its achievements, despite difficult circumstances. We appreciate in particular President Gusmão's bold initiative to encourage reconciliation among the Timorese people. We hope that the Government of Timor-Leste will strive to heal the deep wounds of the past, both internal and external.

Pakistan believes that the development of close and friendly relations between Timor-Leste and Indonesia is of the utmost importance and that it will be in the best interest of both countries. We welcome the agreement concluded between the Governments of Indonesia and Timor-Leste this September on the common border, which is a major step in enhancing the security of Timor-Leste. We call on both sides to work together to resolve any outstanding problems and to strengthen regional cooperation. Such cooperation can be an example for other parts of the world as well.

In our view, the most imposing long-term challenge confronting Timor-Leste will be the promotion of economic prosperity. We agree with the Secretary-General's report that international assistance should continue and will be indispensable. However, this is required not only in support of the UNMISET mandate, but also in facilitating Timor-Leste's economic recovery. Our hope is that the international community will continue to assist the country to stand on its own feet, even after the departure of UNMISET.

In spite of the many challenges before it, Timor-Leste is a United Nations success story. Above all, it is a seminal case demonstrating the successful implementation of the principle of self-determination by the United Nations. There are other peoples, especially the people of Jammu and Kashmir, who await the opportunity to exercise their right to self-determination, as promised and prescribed in Security Council resolutions. We hope that the United Nations and the international community, building on the success story of Timor-Leste, will bend their efforts to bring the principle of self-determination to, and implement the resolutions of the Security Council in, the case of Jammu and Kashmir as well.

Ms. Menéndez (Spain) (*spoke in Spanish*): I would like to express our gratitude for the Secretary-General's report on the United Nations Mission of Support in East Timor (UNMISET) and for Mr. Sharma's briefing.

Spain endorses the statement to be made by the delegation of Italy on behalf of the European Union. I shall therefore limit my comments.

First, the progress made by Timor-Leste, with UNMISET's support during its first year and a half, is tremendous and gives good reasons for hope. The foundation has been laid for a democratic, independent State that respects human rights, is integrated at the regional level and maintains good relations with all the States in the area.

However, much remains to be done. Accordingly, Timor-Leste must continue to receive support from the United Nations. As the Secretary-General's report says, in a number of areas requirements will remain outstanding after the conclusion of UNMISET's mandate and that in other areas, international assistance will continue to be indispensable. We look forward to hearing the suggestions that the Secretariat will put forward at the beginning of next year to deal with the outstanding requirements after 20 May 2004.

In this connection, Spain considers that the United Nations should continue to have a smaller presence or mission with a clear-cut mandate approved by the Security Council to consolidate the achievements made to date, complete the remaining tasks and achieve the goals set. The mission could include, for example, several dozen military and police observers and an appropriate number of advisers. The financial implications of such a presence would be relatively small; it would require a very slight additional effort compared to what has been made to date, but one that is indispensable to the success of Timor-Leste.

The continued progress in bilateral relations with Indonesia is very encouraging. We particularly welcome the near conclusion of the land border delimitation and the commitment of both Governments to resettle Timor-Leste nationals who remain in

western Timor and to facilitate the return of refugees who wish to go back.

With regard to the crimes committed in 1999 in Timor-Leste, Indonesia took an important step forward by bringing the perpetrators of human rights violations before its Ad Hoc Human Rights Tribunal, but we are disappointed by the conduct of the trials at the court of first instance, which ended on 5 August. The Indonesian judicial authorities must guarantee that the appeals process is transparent and consonant with international norms to ensure that justice is served.

Spain welcomes the commitment by the Government of Timor-Leste to human rights. We also welcome the progress made, thanks to assistance by UNMISET, in bringing to justice the perpetrators of grave crimes. We hope that the national Parliament will adopt the legislation on the office of the prosecutor and human rights so that it can begin to operate as soon as possible.

We would also like to mention the resumed work of the appeals court, after more than a year of paralysis, and the bill on the election of mayors and municipal councils.

Mrs. D'Achon (France) (*spoke in French*): I, too, thank the Special Representative of the Secretary-General, Mr. Kamalesh Sharma, for the very detailed information he has just given us and to welcome the representative of Timor-Leste.

My comments, which will be brief, are in support of the statement to be made on behalf of the European Union by the Permanent Representative of Italy. France fully associates itself with that statement.

The latest report of the Secretary-General shows that the action of the United Nations, which has been strengthened since May 2003, and of the people and Government of Timor-Leste and their neighbours has led to significant progress in the development of the country's institutional, economic and social capacities and to its full inclusion in the international community. France welcomes this and commends all the parties involved.

Until May 2004, the United Nations Mission of Support in East Timor (UNMISET) will focus more and more on peace-building and development of the country's capacities by the transfer of responsibilities to Timor-Leste. International assistance should be matched by the active determination of the Timorese to fully implement their new autonomy.

France is nevertheless aware of the need for some form of international support to be maintained after May 2004, and is open to proposals in that regard. A clear distinction should, however, be drawn between UNMIS T and the subsequent United Nations presence. The main aim of international assistance should be then, even more than today, the development of Timorese capacities in sectors where this is necessary. It would be premature to name all those sectors now, but some, such as the police and justice, already seem clear. With regard to security as well, a needs assessment will be more relevant in the months leading up to the May 2004 deadline.

In any case, international assistance, will mean coordinated action by the various agencies of the United Nations system, particularly the World Bank and the United Nations Development Programme. Moreover, it should be given in accordance with a complete and definitive exit strategy, which has yet to be formulated.

It is therefore important for the Secretariat to inform the members of the Council and the donor community about the situation foreseen in May 2004 both in terms of security and other spheres of public life. In this connection, the report of the Secretary-General scheduled for early 2004 should give us detailed information for analysis, which would enable the Council to decide with a full knowledge of the facts.

Mr. Pleuger (Germany): I join other delegations in thanking the Secretary-General for his latest report on the situation in Timor-Leste. Our thanks also go to Mr. Kamalesh Sharma for today's excellent and very informative briefing and to him and his team for his very important and dedicated work.

Germany fully endorses the statement to be made later in this discussion by Italy as the presidency of the European Union.

Germany welcomes and fully supports the efforts of the Government of Timor-Leste under President Gusmão, assisted by the United Nations, to consolidate the young political institutions and to ensure and uphold democratic institutions and the rule of law, while building the new nation. We note with appreciation the stabilization of the overall security

environment in Timor-Leste, as confirmed by the Secretary-General's latest report. In this context, we welcome the fact that the build-up of the national police of Timor-Leste is broadly on track and that the national police, although its capabilities and resources remain limited, has assumed responsibility for routine policing in all districts except Dili, where the handover is scheduled to take place in January 2004. We take this as confirmation that the downsizing plan, as laid out in resolution 1473 (2003), has proved to be realistic.

Germany welcomes the continued strengthening of relations between Timor-Leste and Indonesia, particularly regarding the important question of demarcation and regulation of the common border. We salute the recent joint statement instructing the joint border committee to finalize agreement on the international land boundary by 30 November 2003, and we urge all concerned to ensure that this time line is met. In our view, the establishment of good-neighbourly relations with Indonesia is a key prerequisite for the successful development of the young State of Timor-Leste.

Germany welcomes the progress made in strengthening the political and administrative institutions of Timor-Leste, as outlined in the Secretary-General's report (S/2003/944). We concur with the Secretary-General that special focus should be placed on the speedy resolution of the question of past serious crimes, and that continued international assistance is necessary for the building of an effective civil administration.

We should also like to highlight the importance of an adequate judicial system and of the enhanced promotion of the rule of law as essential elements of the new democracy. We fully share Kamalesh Sharma's analysis, given to us today. We feel that an adequate judicial system is the basis for all: for progress in peace-building and in political, social and economic development.

In spite of the achievements of the past three years and in spite of continued progress, there are still major tasks to be accomplished in the months and years ahead. Our clear objective remains a stable democratic Timor-Leste, independent of international assistance. However, Germany recognizes that even after the United Nations Mission of Support in East Timor (UNMISET) has successfully concluded its mandate in May 2004, the international community will have to provide continued support to Timor-Leste.

Therefore, we fully agree with the Secretary-General and with Mr. Sharma that it is timely to take stock of what has been achieved so far and to begin considering the best means through which the country's needs can be met after the UNMISET withdrawal and how best to preserve the success story which Timor-Leste represents for the international community. In that respect, we look forward to the Secretary-General's report and proposals to the Security Council to be issued in early 2004.

Mr. Gaspar Martins (Angola): Mr. President, I too would like to start by joining other colleagues in thanking you for convening this meeting on Timor-Leste and in thanking our good friend Mr. Kamalesh Sharma for coming back to us with a very good report on the situation in Timor-Leste.

Angola greatly appreciates the progress accomplished by Timor-Leste since national independence, in all spheres of life. Those important achievements show the unequivocal will and determination of the people of Timor-Leste for peace, democracy and a future of progress and prosperity. By showing real commitment and flexibility in dealing with the situation in Timor-Leste, the Security Council has been making an outstanding contribution to the stabilization and consolidation of the territory's independence. Timor-Leste will need to count on the unwavering support of the international community, and it is our expectation that the Security Council will remain in the forefront of the efforts to make Timor-Leste a modern, democratic and stable society.

Important developments took place in Timor-Leste during the past month, on which we were briefed this morning by Mr. Sharma. The political situation has improved steadily; political institutions are functioning normally and have expanded to the local level. This is shown by the elections of village leaders and the "open presidency" policy, which brings political power to grass-roots dialogue.

My delegation welcomes the improvement of relations between Timor-Leste and Indonesia. The joint discussions that are taking place on various important questions, such as border delimitation on land and at sea and the reform of the judicial institutions, are palpable contributions to the strengthening of the political situation in Timor-Leste.

The improvement in the security situation is another important development which we hope becomes a sustained fact of life in Timor-Leste. In that regard, my delegation fully supports the efforts of the United Nations Mission of Support in East Timor (UNMISET) and of the National Police of Timor-Leste's institutional strengthening committee in their administrative and legislative work towards improving the efficiency of the National Police and expanding its role to include the entirety of the national territory. We support the recommendations contained in the Secretary-General's report (S/2003/944) with regard to making further efforts to develop appropriate institutional and legal frameworks and thereby to assure an open and democratic police force, in which recruitment is based on merit.

We fully support the efforts of the Government of Timor-Leste to ensure the presence of the rapid deployment police unit for as long as necessary and until the Timorese are sufficiently confident to perform the task that this unit has been performing. This is an investment that the international community should continue to make in order to ensure that the investment made in the building of the State of Timor-Leste succeeds fully.

The key issues of external security and territorial integrity also provide positive elements in the overall assessment of the situation. Nevertheless, a lot remains to be done in developing the Timorese armed forces, through an increase in their contingent and through capacity-building. The cooperation of UNMISET's military component remains a vital element and should be stepped up, with a view to guaranteeing the internal security of Timor-Leste after UNMISET's departure.

Great challenges still face the young nation of Timor-Leste. The difficult economic situation, aggravated by drought, is a cause of serious concern to which special attention should be paid. It is vital to maintain the continued commitment of bilateral donors and assistance from other institutions, such as the World Bank, the United Nations Development Programme, and the World Food Programme, to promote the rehabilitation of the infrastructure, to enhance public services and to ensure food security. We join the appeal of the Secretary-General to the international community for support in implementing the efforts of UNMISET for the successful conclusion of its mandate.

The economic and social policies pursued by the Government of Timor-Leste with a view to establishing suitable economic legislation, the incentives for job creation, the development of vocational training, the strengthening of investor confidence and the encouragement of economic growth are indeed sound policies that have already produced rewarding results. It is our conviction that, in the medium and long term, they will have a great impact on the economic and social life of the population of Timor-Leste.

It is our expectation that the United Nations will continue the sustained peace-building efforts in Timor-Leste, in particular by addressing the most pressing issues of security and stability, by increasing the capacity of democratic institutions, by ensuring the rule of law and freedom of movement and by strengthening the economy and a sustained civil administration.

Finally, I should like to take this opportunity once again to commend the Government of Timor-Leste and to reiterate our friendship to the people of that country — a people whose aspirations and dreams are deeply shared by the people of Angola.

Mr. Sow (Guinea) (*spoke in French*): I would like at the outset to thank Mr. Kamalesh Sharma, the Special Representative of the Secretary-General, for the important information he has just given us and for the outstanding work that the United Nations Mission of Support in East Timor (UNMISET) is doing under his guidance.

Two and a half months after the attacks against United Nations headquarters in Baghdad, we cannot discuss UNMISET without recalling Mr. Sergio Vieira de Mello, who, as the Special Representative of the Secretary-General and head of the United Nations Transitional Administration in East Timor (UNTAET), built confidence in the United Nations Mission in that country by laying the foundations of a viable State. My delegation would like to take this opportunity to pay tribute to him posthumously.

My delegation takes note of the report before us, which gives a detailed description of the situation in the field. It welcomes the favourable political developments that have taken place in the country, particularly those based on the idea of proximity — the "open presidency" programme and the national dialogue on open governance begun by President Gusmão. We hope that these efforts will be successful.

Effective cooperation among the executive, legislative and judicial branches in the management of the country makes clear the determination and will of the authorities to resolve problems by working together. We are also encouraged by the contacts established between the Timorese authorities and those of neighbouring countries with a view to resolving outstanding issues and to consolidating their relations. We welcome also Timor's becoming a member of United Nations organizations, institutions, bodies and specialized agencies.

With respect to the contribution made by the United Nations, my delegation welcomes the considerable progress that has been made towards achieving the objectives set out in UNMISET's mandate. However, we believe that there are lessons to be learned and that an exit strategy should be devised that will enable the Timorese to take charge on a long-term basis.

With regard to Programme I, on stability, democracy and justice, my delegation appreciates the support given to public administration, specifically through the recruitment and training of civil servants, with a view to the transfer of skills. We note that the question of resources is indispensable in the achievement of UNMISET's objectives, with a view to addressing the needs of the Timorese Administration.

In this connection, we urge donors to honour their commitments, so as to avoid any delay in the deployment of advisers. This will make it possible to fill posts in a timely fashion.

With regard to assistance in the conduct of investigations of serious crimes, we encourage the prosecution of such crimes and call on all actors involved in the process to cooperate with the competent judicial bodies. We welcome the extension by the Parliament of the mandate of the Commission for Truth, Reception and Reconciliation, whose activities we deeply appreciate.

Programme II, on internal security and law enforcement, remains an equally important aspect of the work that must be accomplished. My delegation appreciates the relative calm that has prevailed during this period in question, which was due to the efforts undertaken by the National Police of Timor-Leste and its cooperation with UNMISET police. We encourage the reinforcement of the institutional and operational capacities of that police force, which will enable it to shoulder its responsibilities in accordance with international norms and to ensure security and order throughout the territory on a long-term basis.

We urge both the Timorese and Indonesian authorities to revitalize their cooperation in order to ensure border security. Moreover, we would like to point out the increased cooperation between the military forces of UNMISET, international police and the Timorese armed forces, as well as the National Police of Timor-Leste, in implementing Programme III, on external security and border control. Such cooperation should continue.

We would suggest that the international community, and the United Nations in particular, ensure that the transfer of defence-related responsibilities to the Government of Timor-Leste, scheduled for 20 May 2004, is accompanied by measures that will enable it to take up its responsibilities.

In another vein, my delegation notes with concern the difficulties impeding the implementation of socio-economic programmes in Timor-Leste. We consider that the contraction in gross domestic product by at least 3 per cent in 2002-2003, and a further contraction of 2 per cent in the current fiscal year, can be attributed to declining donor contributions, a reduction in the United Nations presence, and the relative stagnation of commercial activities. Indeed, these factors give rise to some questions.

For that reason, we would like to ask Mr. Sharma to be so kind as to give some additional explanations about the support of the institutions, bodies and specialized agencies of the United Nations system for economic and social policies in Timor-Leste.

The international community made tremendous sacrifices in the cause of peace, security and development in Timor-Leste, which must continue so that the Timorese can fully shoulder their responsibilities when the United Nations Mission comes to a conclusion. My delegation takes note of the recommendations of the Secretary-General, which it supports, and awaits with interest the additional suggestions that the Secretariat intends to publish in a report at the beginning of 2004.

Mr. Konuzin (Russian Federation) (*spoke in Russian*): We are grateful to the Special Representative of the Secretary-General, Mr. Kamalesh Sharma, for

the detailed information he has given us on developments in Timor-Leste, and we welcome the stabilization of the situation in that country.

We welcome the successes achieved by the authorities of the new Government, with the active support of the United Nations Mission of Support in East Timor (UNMISET), and the fact that foundations have been laid for a functioning civil service, police force, judicial system and army.

However, we note that the emerging State institutions in Timor-Leste remain fragile. We welcome the positive changes in the relations between Timor-Leste and Indonesia, especially as concerns such important issues as border demarcation and regulation of the common border regime.

The establishment and maintenance of good-neighbourly and mutually advantageous relations with neighbouring countries is a precondition for the successful establishment and development of the young State of Timor-Leste.

It is extremely important to create and strengthen a national army and the National Police of Timor-Leste in order to establish a viable and independent State. We approve of the efforts of the United Nations Mission of Support in East Timor to develop and train Timor-Leste's military and police forces. We welcome the expansion of areas of responsibilities for the fledgling army and police forces of Timor-Leste, which is taking place according to schedule and without serious difficulties.

The promotion by multilateral and bilateral donors of the social and economic development of Timor-Leste is of vital significance for the country's long-term stability. In that connection, we emphasize the need to build up donor support for the Government of Timor-Leste in its efforts to achieve the major objectives of its national development plan.

The success of United Nations peacekeeping activities in Timor-Leste and the achievements of national authorities in the area of nation-building should not be confined solely to that country. The Security Council must address difficult situations, such as the situation being successfully resolved in Timor-Leste, in other parts of the planet as well. That includes strengthening ate administration; developing democracy; prosecuting serious crimes; national reconciliation; transferring responsibility for security to national structures, including the establishment of a reaction capability to counter armed groups; the implementation of economic recovery programmes; ensuring employment for former combatants; normalizing relations with neighbouring countries; and strengthening border security and other aspects of the border regime. That list is far from exhaustive. The experience built up in those areas in Timor-Leste must be put to good use. The Security Council will promote that in every possible way.

In conclusion, we would like to wish the Special Representative of the Secretary-General, Mr. Kamalesh Sharma, and all the staff of the United Nations Mission of Support in East Timor further success in carrying out the tasks entrusted to them.

The President: I should note, for the benefit of colleagues and those who intend to speak, that I have been asked about our intention regarding the conduct of the rest of the meeting, given the growing lateness of the hour. I intend to finish the meeting this morning, so we will continue straight through, and I ask those who are speaking to take a look at their presentations to see if there is a way in which they could be made more pithy.

Mr. Maquieira (Chile): I do not know if I can make my presentation more pithy, but I will try to make it shorter.

(*spoke in Spanish*)

First of all, I would like to congratulate you, Mr. President, on presiding over our work and on convening this very important meeting on Timor-Leste. We are grateful for the comprehensive report (S/2003/944) introduced by the Special Representative of the Secretary-General, Mr. Kamalesh Sharma, whom we are very pleased to see in the Security Council. I must also express our gratitude for the work done by the former Special Representative of the Secretary-General, Mr. Sergio Vieira de Mello, who died tragically in the Baghdad attack of last August. We all know that his dedication, hard work and unifying role made him indispensable in the process of Timor-Leste's independence.

We share the Secretary-General's assessment of the progress made by an independent Timor-Leste, especially as regards the progress that has made possible the establishment of Timor-Leste's basic

structures, such as effective public administration and a professional police force.

We believe that it is very important that the security situation has improved in the first few months of this year. We believe that the role of the United Nations Mission of Support in East Timor (UNMISET) has been key in that regard. We also appreciate the efforts made by the country's Government under President Gusmão.

A key element in this process is the establishment of public administration commensurate with the significant challenges ahead for Timor-Leste. In that regard, we would like to highlight the work done by the Civilian Support Group, which has trained administrators and provided ample support for the administration of the new country. We appreciate the training and advisory work being done by UNMISET in the region. However, we note that there is a need for continued cooperation in that process, in particular in realizing financial commitments and providing the necessary advisers.

With regard to human rights, we appreciate UNMISET's assistance with regard to serious crimes and clarifying the situation surrounding crimes committed in 1999. Nevertheless, we know that trials will not be completed by June 2004 and that external assistance will be required to conclude that process.

In that regard, we would like to emphasize that Indonesia's cooperation is essential in order to try persons accused of committing those crimes. We therefore urge the parties to continue to work closely and in a true spirit of cooperation. We welcome the regular meetings held between Timor-Leste and Indonesia, which have increasingly strengthened their bilateral relations.

There must be economic development to make progress towards true stability. Such development should enable Timor-Leste to overcome poverty, create jobs, and improve the well-being of the population and the country's socio-economic situation. We therefore wish to emphasize the ongoing recovery, employment and stability programmes on behalf of former combatants and communities of Timor-Leste, as well as the transitional support programme, all of which are initiatives being carried out by the United Nations system.

We also agree that it is essential for the international community to remain committed in such areas as public administration, justice and human rights training. In that regard, we share the view that it is necessary to take measures to support the various requirements of Timor-Leste upon completion of the Mission, at the end of May 2004.

In closing, I would like to wish Mr. Kamalesh Sharma and UNMISET every success between now and the conclusion of the Mission.

Mr. Thomson (United Kingdom): The United Kingdom fully shares the thoughts of, and the statement to be made by, Italy as the presidency of the European Union. I have just a few comments to make in my national capacity.

My first comment is to welcome and congratulate both the Government of Timor-Leste and the United Nations Mission of Support in East Timor (UNMISET), under Mr. Kamalesh Sharma and his team, for their achievements since we last heard from Mr. Sharma, not least in enhancing the capacity of the public administration and the police force. We agree with the Secretary-General's remark quoted this morning by Mr. Sharma that peacekeeping and peace-building are two sides of the same coin. After UNMISET, international assistance will be essential for the peacekeeping now under way to be successful. As we move to the end of the peacekeeping phase, we must first ensure a smooth transition to peace-building, with continuing international assistance. Secondly, we must identify solid arrangements in advance for that international engagement. Thirdly, there must be clarity about the part to be played by the United Nations in that international engagement, a United Nations role that we believe will be essential.

The Secretary-General's report in early 2004 must therefore set out clear proposals to the Council for the further development of Timor-Leste in the final months of UNMISET, and then after the drawdown. We look forward in the coming weeks and months to continue dialogue with Mr. Sharma and his team, as well as with interested countries both inside and outside the Council.

Meanwhile, despite all the effort already under way, we must look for further maximum effort to achieve what can be achieved in UNMISET's remaining seven months. This will require significant

commitment by the Government of Timor-Leste, the United Nations and by other development partners.

The United Kingdom would single out three areas for particular focus but these are not intended to be exhaustive.

The first area is border delimitation. We are concerned at the delay in finalizing border delimitation. It is important that this be completed before UNMISET goes. We look to Indonesia and Timor-Leste to continue to develop their relations. We hope the commitment made by both sides to finalizing agreement on border delimitation will lead to a speedy resolution.

The second area is the continuing weaknesses in the judicial sector described this morning by Mr. Sharma. In relation to the Ad Hoc Tribunal, we agree with the Secretary-General's statement in his report that the perpetrators of human rights abuses must be brought to justice, and we would be interested in Mr. Sharma's suggestions as to how this would be best achieved.

We welcome the progress made by the serious crimes unit and look forward to receiving, in due course, the United Nations recommendations on how serious crimes should be handled after May 2004.

Finally, a further area for attention is the continued capacity-building of the Timor-Leste police force. Mr. Sharma has described the considerable challenges. The United Kingdom is working closely with Australia on possible projects in policing assistance, and we hope other countries will also assist in this area.

Mr. Atieh (Syrian Arab Republic) *(spoke in Arabic)*: My delegation thanks Mr. Kamalesh Sharma, Special Representative of the Secretary-General and Head of the United Nations Mission of Support in East Timor (UNMISET), for his comprehensive and detailed briefing. We also thank the Secretary-General for his report on UNMISET.

My delegation is pleased with the recent political developments in Timor-Leste, especially regarding the development of political institutions and Timor-Leste's relations with other States in the region and all countries of the world. We are also pleased with the launching of President Gusmão's initiative for an open and transparent presidency and his focus on security matters, as well as the sustained efforts of the Government to maintain the openness needed for the people's participation in the political process.

My delegation welcomes the efforts of the leadership in Timor-Leste and Indonesia to promote strong, friendly relations between the two countries. We support such relations, and call for their strengthening in all fields, in the interests of both the Timorese and Indonesian peoples. There is also a need to address all important issues between them, such as border delimitation and facilitating the return of those refugees who wish to go back to Timor-Leste.

My delegation supports promoting justice, democracy and stability in Timor-Leste by the adoption of the necessary legal framework and by the enactment of laws and rules and regulations for institutional work. Here we must stress the need for continued international assistance in many vital sectors to ensure that vital needs in Timor-Leste are addressed satisfactorily.

My delegation supports the United Nations system's efforts towards development of economic and social life in Timor-Leste, despite the immense challenges that remain to be overcome. We welcome the cooperation between UNMISET and the Government of Timor-Leste in the consolidation of internal and external security, in order to avert any events that might destabilize the situation in Timor-Leste.

In closing, my delegation reiterates its thanks to Mr. Sharma and his team and to all the members of UNMISET for their immense efforts in achieving stability and progress in the country.

Mr. Tidjani (Cameroon) *(spoke in French)*: My delegation is particularly pleased to welcome the Special Representative of the Secretary-General for Timor-Leste, Ambassador Kamalesh Sharma. We thank him for his exhaustive and detailed briefing, following the excellent report of the Secretary-General on the United Nations Mission of Support in East Timor (UNMISET).

Seventeen months ago we witnessed the restoration of independence to Timor-Leste and the transformation of the United Nations Transitional Administration in East Timor (UNTAET) into UNMISET. Since then substantial progress has been made to put this young, friendly country on the path to

political and security stability and economic and social development.

The Secretary-General's report gives an objective overview of the situation in Timor-Leste and makes recommendations with which my country fully agrees.

My delegation will concentrate briefly on the political and diplomatic activities of the Timorese, the fruitful interaction between UNMISET and the Timorese Government, and the country's short- and medium-term economic prospects.

On the whole, since 20 May 2002 the Timorese authorities have not proved unworthy of their task. They have been able to overcome their differences, and the main leaders have wisely chosen to put their strong personalities at the service of the Timorese people. Today the President and Government are cohabiting in a constructive manner and are mobilizing as many citizens as possible for involvement in local government.

After an inevitable running-in period, the judiciary has now begun to work, and, happily, one area in which it has been very active has been in combating impunity.

We also welcome the regional foreign policy of Timor-Leste. Its cooperation with its neighbours, Australia and Indonesia, is exemplary and may quickly have an impact on its economy, national policy and security. Cameroon encourages this trend, and pays tribute to Indonesia and Australia for their positive contribution to Timor-Leste.

The report of the Secretary-General gives a vivid picture of the implementation by UNMISET of the various programmes under way to strengthen the institutional capacities of public administration and the judiciary. Cameroon joins the appeal to donors to finance the posts of civilian advisers, whose crucial importance for the establishment of a competent, efficient and effective Timorese Administration has been emphasized. Likewise, we believe that substantial resources are urgently needed for the training of judges, of legal personnel and of other key elements of the judicial system.

The fight against impunity in the context of grave crimes — a fight that the Council demands of the Timorese authorities — cannot be conducted successfully to its completion unless support for the judicial system is strengthened. At this stage, we should duly appreciate the progress and results achieved.

In the area of internal and external security, my delegation would like to congratulate UNMISET on the work accomplished in training both the police and the army. However, one might well wonder about what will happen after May 2004 — that is, following UNMISET's departure — particularly with regard to establishing an army capable of shouldering its responsibilities throughout the territory. Here, as elsewhere, support on the part of the international community is absolutely necessary if we wish to accelerate the appropriation process.

That leads me to my last essential comment. Timor-Leste possesses real economic potential, and the arrangements concluded with Australia in the hydrocarbon sector give rise to optimism for the medium term. Unfortunately, in the short term, the country's financing needs cannot be met without external support. The report emphasizes a regular decline in gross domestic product, which will continue next year. Unemployment remains significant, and social sectors such as education and health are encountering real difficulties. As we wait for the Timorese "oil bonanza", the international community must lend sustained support to the Timorese Government and economy. The real efforts by the authorities on the ground justify that support.

I welcome the fact that the Special Representative and the entire UNMISET team are so resolutely committed to the Timorese. Because they are doing useful work, they deserve our full appreciation.

Mr. Pujalte (Mexico) (*spoke in Spanish*): At the outset, I thank Ambassador Kamalesh Sharma, Head of the United Nations Mission of Support in East Timor (UNMISET), for presenting the report of the Secretary-General (S/2003/944) on progress made in the implementation of the Mission's mandate.

The Mexican Constitution lists principles that the Mexican State must observe and promote in its foreign relations. The first principle is the self-determination of peoples. That is why it has been particularly satisfying to have accompanied, from the Security Council, the people of Timor-Leste over the past two years on their path towards building a free, sovereign and independent State. The diplomatic relations established between the Governments of Mexico and Timor-Leste

reaffirm the ties of friendship and cooperation between both peoples.

Now that the end of UNMISET's mandate is approaching and — as the Secretary-General's report has made evident — we must reaffirm the international community's commitment and continue to provide technical assistance in various spheres, my country reaffirms its readiness to cooperate in all United Nations forums and specialized agencies with the representatives of Timor-Leste.

While there are still tasks ahead of us, Timor-Leste is already a success story, because it is a reflection of what can be achieved in a short time when one has the international community's resolute support and when the people's will is respected. Mexico recognizes and applauds the "open presidency" programme, adopted by President Xanana Gusmão, as well as the "open governance" initiative. Being in contact with the people and taking their needs into account are fundamental elements in ensuring a good Government.

Just as important is the development of good-neighbourly relations. That is why my country welcomes the continuing and deepening contacts and relations between Indonesia and Timor-Leste, as well as the progress achieved in establishing maritime borders with Australia. The only possible path for countries sharing borders is that of respect and cooperation. That redounds to the benefit of both, even when they are States of different sizes.

UNMISET's mandate is nearing its end and will leave behind proof of the progress it has made. It was of fundamental importance that the international community maintained its firm and sustained commitment and provided the Mission with enough flexibility so that it could adapt itself to needs and developments on the ground. Those are important lessons of which we must take note for the future.

There must be an effective exit strategy in keeping with the situation on the ground to support ongoing programmes, with the participation of various bodies of the United Nations system and international financial institutions. To that end, it is essential that the Security Council coordinate with other bodies of the Organization, as well as with specialized agencies, in order to cooperate with the Government of Timor-Leste, bearing in mind their respective mandates and competencies.

The report of the Secretary-General recounts, inter alia, setbacks in the area of the administration of justice, particularly in the processing of those accused of serious crimes, which is a source of special concern. Therefore, we support the appeal made by the Secretary-General in his report that the accused be made available to the judiciary. It is essential to fight impunity. Likewise, we must redouble our efforts to have more trained judges and to facilitate resort to the courts for the population.

Similarly, we must continue the process of recruiting and training Timor-Leste's military and police troops, as well as initiatives to build confidence among the civilian population. The training of troops must include human rights training, which holds particular meaning for my country.

The gradual drawdown of UNMISET troops must continue, bearing in mind the development of national capacities as well as the situation on the ground. It is encouraging news that, in the current period, events such as those that occurred at the end of 2002 and at the beginning of this year were not repeated. Proper coordination between United Nations forces and the Governments of Timor-Leste and Indonesia to ensure external security and border monitoring is paramount. That is why we appeal for continued strengthening of ties of cooperation in that sphere.

Likewise, an effective strategy must be developed to face the fundamental challenge of reintegrating the 26,000 Timorese refugees. It is necessary that the Council support the Government's efforts to encourage and support reconciliation meetings on the borders and to promote national reconciliation, supported by the work of the Office of the United Nations High Commissioner for Refugees and the International Organization for Migration.

During the transition process, the United Nations system must reinforce its presence in order to give Timor-Leste the assistance and training that will to enable it to develop its potential and improve its socio-economic indices. The same commitment is expected from the international financial institutions. The permanent fund to be established in cooperation with the International Monetary Fund and the World Bank should benefit the people of that country.

I take this opportunity to express my deep respect to Ambassador Sharma and the entire staff of the United Nations Mission of Support in East Timor for

their commitment and dedication to Timor-Leste. We also recall and thank the staff members who participated in the United Nations Mission in East Timor (UNAMET) and in the United Nations Transitional Administration in East Timor. We join others in expressing special thoughts for Mr. Sergio Vieira de Mello, who played an essential role as administrator of the transition, and for those who have lost their lives in Timor-Leste, particularly the members of UNAMET who died in the horrific events of 1999. It was their sacrifice that prompted my country to submit the draft resolution that was adopted as resolution 1502 (2003) in order to give the Security Council a tool to help prevent and deal with such violence.

The impartiality and neutrality of humanitarian personnel should not be confused with indifference. The staff entrusted with humanitarian activities in Timor-Leste and elsewhere do not stand alone.

The President: I shall now make a statement in my capacity as the representative of the United States.

I, too, want to thank Ambassador Sharma for joining us today. We are pleased with the success of the United Nations Mission of Support in (UNMISET), in East Timor, for which a number of dedicated individuals deserve credit, including, of course, Ambassador Sharma, his colleagues and the late Sergio Vieira de Mello.

We applaud the Government and people of East Timor for their progress towards the development of the country's political institutions and of good diplomatic relations with neighbouring countries and those beyond the region.

We call on donors to continue to support progress in East Timor, particularly through the provision of bilaterally funded advisers to fill remaining vacancies. We also call on the Government of East Timor to do its part to nurture respect for the rule of law, address allegations of police brutality and adopt the legal frameworks for civil administration recommended by Ambassador Sharma.

UNMISET's mandate will end in May 2004. We concur with the suggestion in the Secretary-General's report of 6 October that the international community should begin considering the best means by which the needs of the country can be met after UNMISET's withdrawal. We stand ready to participate in this discussion along with our Council partners as well as other interested countries, including Australia, New Zealand, Portugal and Japan.

We agree that the international community should remain engaged in ensuring the establishment of security and stability in East Timor after May. We welcome the initiative of the Australian Government in offering proposals for how this engagement might continue. We also look forward to seeing the Secretariat's further suggestions, as promised in the 6 October report.

I now resume my function as President of the Council.

I give the floor to the representative of Timor-Leste.

Mr. Guterres (Timor-Leste): First, I would like to convey to you, Sir, and to the bereaved families the condolences of my Government.

I thank you for this opportunity to address the Security Council. I wish you every success during your presidency. It is a great honour for us to welcome Ambassador Sharma, the Special Representative of the Secretary-General for East Timor, to this meeting. His assessment of the situation in Timor-Leste is highly valued by my Government.

I would also like to extend our appreciation to Deputy Special Representative Sukehiro Hasegawa and to all members of the United Nations Mission of Support in East Timor (UNMISET) for all the achievements we have made together in recent months. With the presence of the peacekeeping forces, the police and civilian experts, and the consolidation of the democratic process and institutions, we have together maintained a stable and vibrant democratic country.

In January this year, the Government initiated a process of bringing governance to the people in remote areas. The communities in those areas have seized the opportunity to raise their concerns and priorities. These meetings have given the Government an opportunity to explain the national development plan, the Government programme, the available resources and the challenges ahead.

In the area of telecommunications, we have an ambitious project under way. By the end of this year, all the capital districts will have fixed and mobile

communications fully operational, paving the way for better technical conditions for radio and television.

The agriculture sector is a priority area of the national development plan. Efforts have been made to increase our productivity in the sector, which is the lowest in Asia. More than 60 per cent of the irrigation system has been repaired and new ones have been constructed.

The Government, with the help of donors, has re-established electricity in 55 sub-districts and is currently conducting feasibility studies in the area of hydropower.

A national health-care policy has been adopted. Much of the infrastructure has been rehabilitated, but malaria and tuberculosis continue to be widespread. There is a need for more doctors, nurses, midwives and ambulances. Recently, during a visit of the Executive Director of the United Nations Development Fund for Women to a remote village, the community of Mauschiga requested medical assistance and expressed its gratitude for her offer to facilitate medical care for the people, many of whom have lived with war wounds that require urgent medical attention.

Despite the efforts to reconstruct 700 of the 900 schools destroyed in 1999, 25 per cent of our children do not have access to formal education.

We hope that an investment law now under consideration in the national Parliament will prepare the foundations for more investment in other sectors of the economy, not only in gas and oil. Timor-Leste will remain committed to maintaining an attractive fiscal and regulatory framework for investment.

We will soon start maritime boundaries negotiations with Australia. The Maritime Zones Act adopted by Parliament in 2002 set out Timor-Leste's 200-mile maritime boundary claim. We hope that negotiations will be a success and consistent with international law. The oil and gas revenues in those areas are of strategic value to our country and people. The World Bank, the International Monetary Fund and the Government of Timor-Leste are preparing a plan to create a fund that will manage the petroleum revenues in a way that is transparent and responsible.

We continue to consolidate our relations in the region and in the world. The Joint Ministerial Commission of Indonesia and Timor-Leste met in Dili from 4 to 6 September. The Commission agreed to continue to seek solutions to the residual problems of the past and, most importantly, established cooperation in the areas of commerce, investment, development, education, health and security. In general, despite forecasts of a contraction of the economy, the Government believes that it will reverse the trend very soon.

East Timor President Xanana Gusmão has continued to promote reconciliation and national unity. He has participated in various meetings in the border area in order to encourage reconciliation and the return of refugees from West Timor to their homeland. In spite of these efforts, approximately 26,000 remain in the refugee camps. During the second meeting of the Indonesia-Timor-Leste Joint Ministerial Commission, both parties agreed to encourage their settlement away from the border to places allocated by the Government of Indonesia and to facilitate the return of refugees who choose to return to Timor-Leste.

The United Nations and the Security Council intervened in my country in a timely manner. The international community, in particular the donor countries, have invested huge financial and human resources and know-how in this Mission, although some resources have not arrived on time. My Prime Minister has stated that the judicial system, law and order, finance and planning and defence and security will require substantial assistance and support for some time.

We share the view expressed by the Secretary-General in paragraph 14 of his report (S/2003/944), that

> "it is clear that it will not be possible for Timor-Leste to achieve self-sufficiency in certain key areas of the mandate by 20 May 2004."

The mandate that the Council set forth in resolution 1480 (2003) in 2004 is nearing its end — 20 May 2004. We welcome the debate and discussions about the future mission of the United Nations. We recommend a credible, strong United Nations presence in key areas in order to help consolidate stability and security, sine qua non conditions for sustainable development and for the success of the United Nations mission.

Finally, in July this year we received a visit from the President of the General Assembly at its fifty-seventh session, Mr. Jan Kavan. His visit was very

successful. My Prime Minister, Mari Alkatiri, has instructed me to invite the Security Council to send a delegation to East Timor. Such a visit would be an honour, given the fundamental contribution made by the Council to the success of the United Nations mission, and its crucial role in the liberation of our country and our people.

The President: The next speaker inscribed on my list is the representative of Portugal, to whom I give the floor.

Mr. De Santa Clara Gomes (Portugal): I would like to thank the Secretary-General for his report and Ambassador Sharma for his excellent presentation.

Portugal subscribes entirely to the statement to be made later by the representative of Italy on behalf of the European Union. I will add just a few remarks.

First of all, I would like to take this opportunity to pay tribute again to the remarkable contribution that was made to Timor-Leste by the former Special Representative, the late Sergio Vieira de Mello. I would also like to recognize the dedicated efforts of the civilian, military and police components of the United Nations Mission of Support in East Timor (UNMISET) and to congratulate them in their many achievements in Timor-Leste.

Timor-Leste has made outstanding progress in many fields and can justifiably be called a United Nations success. I would like in particular to note the progress made in laying the foundations for a functioning civil service and police force, as they are assuming increasing levels of responsibility. It is also with satisfaction that we note that there was no repetition during the reporting period of serious security-related incidents.

The steady and positive development of the relationship between Timor-Leste and its neighbour Indonesia should also be highly commended, particularly regarding the determination of their joint border. That was largely the result of the stated commitment by the leadership of both countries.

We congratulate the United Nations and the Security Council on having contributed to the stability of Timor-Leste. The report of the Secretary-General, however, also describes comprehensively the work that remains to be done by UNMISET — work that cannot be completed until well after May 2004.

Timor-Leste is in a critical period of the peace-building process, and the report of the Secretary-General clearly outlines a number of areas where international assistance will be required beyond the mandate of UNMISET. Much work remains to be done in the area of police training, particularly in the management of the border, which remains porous and, therefore, a source of illegal incursions and illegal trade. But there is still work to do in other areas, too, such as those relating to professional ethics and respect for human rights. Security is clearly a key factor for the political and social stability of any country, and Timor-Leste is no exception.

Despite the progress already achieved in terms of the public administration, this will continue to require support to remedy a shortage of qualified personnel, and much help will still be needed in areas such as justice and internal administration. Institution-building is an area where remarkable success attended international assistance, but it was only to be expected that the task would need to be continued and consolidated in the future.

It is with concern that we note that insufficient success was reported in terms of the economic and social development of Timor-Leste. We note that there was a drop in gross national product last year and that a further drop is expected for the current year. In that regard, Portugal believes that the international financial institutions and bilateral donors should further support the national development plan, allowing for more investment in capacity-building and incentives and opportunities for job creation.

Much has been achieved, but more needs to be done. We have come a long way and invested much in Timor-Leste, and we need to preserve and consolidate the results already obtained. Portugal is more convinced than ever of the need for a continuing United Nations presence after the end of the current mission. We believe that, in order for this presence to have the necessary credibility, both internally and externally, it should have a clear mandate from the Security Council and should be led in the field by a Special Representative of the Secretary-General. We must pursue, for a further period, a concerted effort to allow East-Timor to achieve three interrelated goals: security, institution- and State-building, and sustainable development. Fortunately, our efforts can be undertaken at a reduced level, compared with those of the past.

The President: I now give the floor to the representative of the Philippines.

Mr. Baja (Philippines): I would like to congratulate you, Sir, and the United States delegation, on your assumption of the presidency of the Security Council for this month. My delegation would also like to thank the Secretary-General for his latest report (S/2003/944) on the United Nations Mission of Support in East Timor (UNMISET), as well as Ambassador Sharma for his comprehensive briefing today on the situation in Timor-Leste.

About five months ago, we celebrated the first year of independence of Timor-Leste. It has been four years since the Timorese voted in a referendum to pursue independence. Today, we can all feel satisfaction that, with the assistance of the United Nations, war and starvation are slowly becoming distant memories and nation-building has begun in earnest in Timor-Leste. The security situation has greatly improved; the foundations of a functioning civil service have been laid; and there has been a marked improvement in the strengthening of rule-of-law mechanisms, political dialogue among stakeholders, interaction with civil society and the critical relationship between Timor-Leste and its closest neighbour, Indonesia. Indeed, remarkable progress has been achieved in Timor-Leste's nation-building.

Despite the success story of Timor-Leste, the persisting economic difficulties in the country serve as a reality check on the difficult road ahead as the termination of UNMISET in May next year approaches. The challenges that Timor-Leste faces are daunting. It has been reported that the country has not recovered much since the time when 75 per cent of its infrastructure was destroyed. Seventy per cent of villages lack running water, and large parts of the countryside do not have electricity. Forty per cent of the population live on less than 55 cents a day, while half lack formal education. The unemployment rate is 20 per cent in urban areas, with the civil service and UNMISET providing the bulk of all the paid jobs in the country. The country has been going through a devastating drought for the past two years.

There remain, however, some bright spots, even on the economic front. The Timor Sea Treaty, signed in March between Timor-Leste and Australia, provides hope. The oil and gas industries are projected to add about $5 billion over 17 years to the country's coffers, although, according to experts, the bulk of this money will start trickling into Dili only after five years. Until then, Timor-Leste will receive about $100 million a year, which should provide substantial help for the financial needs of the nation. But such resources from oil will not be sufficient to solve the problem of poverty in the country. Timor-Leste desperately needs capacity-building so as to improve the standard of living of its people.

Timor-Leste continues to require the assistance of the international community. In order to generate the kind of economic growth that will filter down to households, the country will need to seek development and job-creation in labour-intensive areas, such as farming, which employs most of the country's poor. This is where international donors could provide substantial assistance. There has been speculation that some international donors are preparing to cut back on aid because of the projected income from the oil and gas industries, even if such income has not yet materialized. We appeal to international donors not to do so. There must be a reasonable time overlap between aid and the oil income, as a premature aid cutback would be devastating to the country's economy. Furthermore, since Timor-Leste would depend greatly on its oil and gas industries in the future, we hope that it could maximize all possible revenues from those industries in accordance with established principles of international law, particularly the United Nations Convention on the Law of the Sea.

The international community has invested a lot of political capital — not to mention billions of dollars — in the future of Timor-Leste. For our part, we have just successfully implemented the Philippine human resource development assistance package for Timor-Leste, under the auspices of the Philippines-Japan partnership programme.

Thanks to the resolve of Member States and the United Nations, we are now in the final stages of the exit strategy for the country. We recognize the significant role of the Council in assisting the Government of Timor-Leste to develop its institutions and infrastructure as an independent State through UNMISET. We support the adjustments to the schedule for downsizing the military and police elements of UNMISET in the light of developments in the security situation. However, my delegation would caution against the precipitate withdrawal of the United Nations presence in Timor-Leste following the

completion of the UNMISET mandate in May 2004 without a full assessment of the requirements of Timor-Leste and sufficient guarantees that peace is adequately secured.

As the Secretary-General has pointed out in his report (S/2003/944), many of the fundamentals for the country's good governance would remain unfulfilled beyond the termination of UNMISET in May 2004. The unfinished business would pertain to the critical areas of civil administration, justice and policing, as well as human rights training. The Secretary-General has promised to provide further suggestions on what would be the best means of meeting the country's needs beyond UNMISET after undertaking a thorough evaluation of the situation. We look forward to the report of the Secretary-General in the near future.

The President: I now give the floor to the representative of Australia.

Mr. Dauth (Australia): Thank you, Mr. President, for the opportunity to address the Council today. Ordinarily, I try not to detain the Council, when I speak here, for more than a few minutes, knowing the great pressures on the Council's time. But I hope today you will indulge me with a few minutes more on an issue which, as the Council knows, is very important for my country. But I will not be too long, I promise.

Timor-Leste has come a long way, off a very low base, since achieving independence last year. A great deal of credit must go to the wise leadership of Timor-Leste and to the Timorese people, whose energy and determination stand as the country's greatest national asset.

The Council itself, and the broader United Nations Membership, has good reason to be pleased with the part played by United Nations missions in Timor-Leste to date. In that context, it would be quite remiss not to particularly congratulate my friend and former colleague, Kamalesh Sharma, seated on my right, for all the extraordinary work that he has done. I know that he will remain committed, to the very last day of the present mandate, to making progress in Timor-Leste.

The United Nations engagement in Timor-Leste stands as a benchmark and also a pointer to the crucial work the Organization can do in conflict and post-conflict situations. Progress achieved to date in Timor-Leste is real, but it is fragile.

Significant challenges remain ahead of Timor-Leste — in the security field, in institution-building and in bringing opportunities to the Timorese people. It is therefore important that the Council invest some time over the coming weeks and months in reviewing the situation in Timor-Leste and beginning to consider how the international community, separately and collectively, can best ensure that the progress achieved to date in Timor-Leste is protected.

Australia welcomes the Secretary-General's report on the United Nations Mission of Support in East Timor (UNMISET) (S/2003/944). The report is well-crafted and well-timed. It accords closely with our own assessment of the current situation in Timor-Leste and of the areas that will require further international attention in the final months of the mandate of UNMISET and beyond.

It is the latter point I wish to focus on today. Australia shares the Secretary-General's assessment that it will not be possible for Timor-Leste to achieve self-sufficiency in certain key areas of the United Nations mandate before UNMISET's term expires in May 2004. That much is clearly evident. Timor-Leste's security situation has stabilized significantly, but the legacy of decades of conflict remains and Timor-Leste's security-related institutions are still weak. Equally clear is that while much can and is being done through bilateral and other donor support, there will be a need for a modest, security-focused United Nations mission in Timor-Leste after the current Mission's mandate expires next year.

Members of the Council will be aware of Australia's keen interest in Timor-Leste's stable future. After discussion with the Government of Timor-Leste and other partners, Australia has put forward a model for a post-UNMISET mission, to be established for a one-year period by a Security Council mandate. We hope the model helps focus minds on what might be required of the United Nations presence in Timor-Leste after May 2004.

The post-UNMISET United Nations presence Australia proposes would be fundamentally different in nature from the missions that have gone before it. At the centre of the model, in the driver's seat, are the people of Timor-Leste themselves. The United Nations role would not be one of traditional peacekeeping but of providing the back-up support and advice which will enable Timor-Leste's own institutions to evolve and

stand with confidence. The mission would complement the ongoing work being done by the Timor-Leste authorities and their development partners to build sustainable capacity in Timor-Leste's essential institutions, including its police and armed forces, and to lay the foundations for national stability and prosperity. Above all, it would be small, limited in scope and focused on specific needs, underpinning the transition to effective Timor-Leste responsibility. It would also have a clear end point.

Turning to specifics, Australia shares the Secretary-General's assessment that post-UNMISET requirements will include essential support to Timor-Leste's border security agencies, its police service and specialized police units, its institutions of Government and the serious crimes process. On that basis, Australia has proposed a follow-on United Nations mission, focused on security and comprised of the following elements: first, military liaison officers to facilitate liaison between security authorities across Timor-Leste's land border and to monitor security-related developments in the border districts; secondly, an international police response group to provide back-up support to Timor-Leste authorities in responding to emergency civil unrest; thirdly, police observers deployed lightly throughout the districts to liaise with the Timor-Leste police and monitor security-related developments; fourthly, a core of international advisers to provide counsel to the Timor-Leste Government in essential security-related areas; and lastly, international legal experts to work in the office of Timor-Leste's Prosecutor-General to conclude the priority crimes-against-humanity caseload.

Australia's rough estimate suggests the cost of such a mission would be relatively modest: approximately one tenth the price of the current United Nations Mission in its final year. We look forward to seeing detailed costings from the Secretariat in due course.

Maintaining security and stability in Timor-Leste will present ongoing challenges for the young State. Meeting those challenges will require continued effort over many years, and we all have a part to play. Essential to success will be continued far-sighted leadership from the Government of Timor-Leste to build the foundations of national stability. Crucial also will be continued support from the international community, through the United Nations and beyond, and Australia will continue to do its part. In more immediate terms, Timor-Leste's stability in the years ahead will depend on early concerted action by all parties to resolve the residual problem of Timor-Leste's displaced people in West Timor and other border management issues. Australia welcomes recent renewed efforts by the Governments of Timor-Leste and Indonesia to resolve these matters.

The history of Timor-Leste's transition to independence has given the international community and the Security Council a duty to acquit. The investment we have made in East Timor could be a case study of how the United Nations can work well, how it can make a difference. The modest, short-term additional commitment we are proposing could make the difference in securing the success of that investment. Decisions made in the Security Council over the coming months will be crucial to preserving that success.

In closing, I want to endorse the words of the Secretary-General in paying tribute to the remarkable personal contribution made to Timor-Leste by my friend Sergio Vieira de Mello. If Timor-Leste's transition to independence has been a success story, that success is due in no small way to Mr. Vieira de Mello's remarkable leadership. Australia will always remember him for that and for many other things.

The President: I now give the floor to the representative of Italy.

Mr. Mantovani (Italy): I have the honour to speak on behalf of the European Union. The acceding countries Cyprus, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, Slovakia and Slovenia, the associated countries Bulgaria, Romania and Turkey, and as the European Free Trade Association countries members of the European Economic Area Iceland, Liechtenstein and Norway align themselves with this statement.

The European Union welcomes this opportunity to commend the results achieved by the Special Representative of the Secretary-General. In the footsteps of his predecessor Sergio Vieira de Mello, to whose memory we would like once again to pay tribute, Ambassador Kamalesh Sharma has been leading efforts to ensure a better future for the people of Timor-Leste through his dedication and skill in guiding the civilian, military and police components of the United Nations Mission of Support in East Timor (UNMISET).

The European Union supports the efforts of the Timorese Government to consolidate the fragile political institutions in Timor-Leste. Since May 2002, when Timor-Leste celebrated its independence, the Government has made significant progress in promoting the country's social and economic development. The European Union commends and encourages the efforts to ensure and uphold democratic institutions and the rule of law while building the new nation.

We welcome the continued development of strengthened relations between Timor-Leste and Indonesia. The European Union looks forward to the early finalization of the border delimitation agreement following the meeting of the bilateral Joint Ministerial Commission held in Dili at the beginning of last September. We hope that cooperation will continue in the same friendly spirit on a number of other important issues, ranging from the resettlement of refugees still remaining in West Timor, border crossings and market regulation, to the conclusion of other cooperation agreements between the two countries. The European Union strongly believes that, by ensuring the accountability of all perpetrators of serious human rights violations, trust in the judiciary and the judiciary's contribution to reconciliation will be greatly enhanced.

The United Nations continues to play an important role in the nation-building of Timor-Leste. We are pleased to note that UNMISET operations are generally progressing according to the scheduled time frames for scaling down the Mission. After a review last April, the strategy already set out continues to be implemented through the progressive transfer of responsibilities to local authorities.

The international community must continue to monitor the situation and developments on the ground, particularly in the areas of civil administration, justice and policing, as well as in human-rights-protection training. Cooperation and consultation with the World Bank, the United Nations Development Programme and other United Nations agencies can provide support for the lasting and sustainable development of Timorese infrastructure and institutions.

After the Security Council has taken stock of what has been achieved, reflection should take place in the Council on the country's needs after the withdrawal of the United Nations Mission in May 2004, and on the support the United Nations and the international community could provide to Timor-Leste next year, in order to consolidate the success story that the country already represents. The European Union looks forward to the Secretary-General's report to be issued in early 2004 and to his further suggestions on these matters.

Many European Union member States have participated in United Nations missions in Timor-Leste. The European Union has made considerable efforts to support the new nation through financial assistance, humanitarian aid, rehabilitation and development cooperation. The European Union, as well as its member States, will continue to support the consolidation of Timorese democratic institutions.

The President: I call on the representative of Singapore.

Mr. Mahbubani (Singapore): The hour is late. I will not read out the text of my remarks, but I hope that members of the Council will refer to the text when they reflect on the situation in Timor-Leste. What I propose to do instead is to summarize my remarks in four points.

The first point that I would like to make is to, of course, thank the Council for addressing the subject of Timor-Leste. We realize that there are much more prominent issues that are preoccupying the minds of Council members. Certainly what is going to happen in a few hours will be a major focus of attention. But, despite all that, we hope that the Council will remain focused on the challenges faced by Timor-Leste. We would also like to thank the Secretary-General for his report and my good friend and comrade Kamalesh Sharma for his briefing and the good work that he has done in Timor-Leste.

The second point we would like to make is that, as usual, there is the mixture of good news and bad news coming out in any assessment of the situation in Timor-Leste. That assessment that is given is in the text of my statement, but I thought that Ambassador John Dauth captured it very well when he said: "Progress achieved to date in Timor-Leste is real, but it is fragile" (*si pra*).

The third point that I would like to make is that, given this mix of good news and bad news in Timor-Leste, I think it is all the more important that the Security Council think very seriously about the exit strategy that it is going to adopt in leaving Timor-

Leste. In that regard, we hope that the Council will heed some very important points that have been made.

The first is the point that the Secretary-General made in his report, where he said that the Council should begin considering the best means through which the country's needs can be met after the United Nations withdrawal. That assessment should be based on the thorough evaluation of the country's key requirements and should be guided by recognition, based on experience in Timor-Leste and elsewhere, of the importance of finding reliable means to meet urgent requirements and to secure the considerable investment that had been made in the country to date.

We hope that equal attention will be paid to the views of the leadership of Timor-Leste. Ambassador Kamalesh Sharma said earlier today that the Timorese leadership and the representatives of civil society, both national and international, have clearly indicated to him the centrality of the requirement of continued United Nations presence to provide both psychological assurance and substantive support in the immediate post-UNMISET period. We think this view should be taken seriously, along with some of the specific points that were made, in particular by Ambassador John Dauth. We would like to support some of the specific suggestions that have been made for a continued United Nations presence.

As indicated in my text, there are four points that we would like to emphasize in any post-UNMISET presence. But before saying that, let me also emphasize that we believe that the post-UNMISET presence should come from assessed contributions, with the emphasis on the word assessed.

The four items that we would like to support are the following. The first is military liaison officers to liaise between Timor-Leste and Indonesian security forces and to monitor security-related developments. The second is police observers to monitor operations of the National Police of East Timor and internal security developments. The third is an armed back-up policing capability to respond to emergency situations. The fourth is international civilian advisers in security-related areas to be established for a limited period, such as one year.

We think that these are not excessive requests. Indeed, as Ambassador John Dauth said, the cost will be much less than that of the current situation. Therefore, we hope that these requests will receive attention.

My fourth and final point is that at a time when the United Nations has to deal with one crisis after another, and, indeed, when questions have been raised about the relevance and effectiveness of the United Nations, it is all the more important for the United Nations to protect all the success stories that it has. Certainly, we should do what is right for Timor-Leste. It will benefit the people of Timor-Leste. It will also benefit the United Nations at this point in time.

In this regard, we also support the invitation that has just been made by the Ambassador of Timor-Leste to the Security Council to visit the country. We believe that such a visit would be very helpful to enable the Council to decide how it should manage the post-UNMISET strategy for Timor-Leste.

The President: I now give the floor to the representative of Japan.

Mr. Haraguchi (Japan): I would first like to thank Ambassador Sharma, Special Representative of the Secretary-General, for his comprehensive briefing.

The Government of Japan is pleased to note that much has been achieved in the areas of public administration, combating serious crimes, internal security and Timor-Leste's relationship with Indonesia, including progress on border-control issues. I am also pleased to note, in checking the budget of the United Nations Mission of Support in East Timor (UNMISET), that it has implemented its work in a very cost-effective manner.

The report of the Secretary-General, however, states that serious challenges still remain in such areas as public administration, the judiciary, policing and national security. It is the firm intention of my Government to continue to support the effort by UNMISET to consolidate what has been achieved so far on as solid a base as possible within the short period remaining until the end of the mandate of UNMISET.

We also share the view of the Secretary-General in his report, which states that support from the international community will continue to be required even after the expiration of the UNMISET mandate. We simply cannot accept a situation in which the fruits of the activities of UNMISET might be ignored, so that as a result Timor-Leste could return to its prior state of

conflict and disorder after the expiration of the mandate.

We hope that the Secretary-General will provide us with detailed proposals for the post-UNMISET stage as early and in as specific a form as possible. Japan will also seriously consider what will be the most appropriate support for Timor-Leste, while listening to the views of the Government of Timor-Leste, the United Nations and other countries that have been supportive of Timor-Leste.

Consolidating and building peace are big challenges faced by the international community. It is crucially important for the United Nations and the international community to make certain that those valuable initial achievements such as peace, the rule of law, respect for human rights and development take root and are long-lasting. Japan will unhesitatingly provide appropriate support for peace-building as well as for the consolidation of peace and for the enhancement of human security in Timor-Leste. We also call upon the international community to continue to extend its valuable support to this young republic.

In support of building a self-sustaining Timor-Leste, Japan has pledged, and has been steadily implementing, assistance of up to $60 million over the period of three years following its independence, with a focus on peace-building as well as on reconstruction in three key areas: agriculture, infrastructure and human resources development. We are pleased to learn that the roads and bridges which the engineering group of our Self-Defence Forces has constructed and repaired for the activities of UNMISET also benefit the people of Timor-Leste. We believe that such support is in line with the needs of Timor-Leste as described in the report of the Secretary-General.

I wish to reiterate how important it is for the leaders of Timor-Leste to be united in governing their country, for the people of Timor-Leste to participate in the nation-building efforts as a matter of their own responsibility and for the international community to continue to extend its support.

The President: I now give the floor to the representative of India.

Mr. Gopinathan (India): We congratulate you, Sir, on your assumption of the presidency of the Security Council for the month of October. This has been, and will undoubtedly be, a month of major activity for the Council. We are confident that the conclusion of your presidency at the end of the month will record forward movement on many important issues currently under consideration.

It has been almost 17 months since the establishment of the United Nations Mission of Support in East Timor (UNMISET), pursuant to resolution 1410 (2002). It is a rare but happy occasion when we are able to review what the Secretary-General has described as significant progress in reaching the major milestones identified in the mandate of the Mission's implementation plan. It is gratifying to learn that since its independence Timor-Leste has made significant progress in promoting its social and economic development, and that its political institutions have continued to develop, as have its relations with countries in and beyond the region.

I wish to comment briefly on the following highlights of the Secretary-General's report on developments in Timor-Leste.

The first is the successful phased withdrawal of UNMISET's military component, as per the revised downsizing schedule authorized in resolution 1473 (2003), with plans to bring down its numbers to 1,750 by the end of 2003. We note that this downsizing has gone hand in hand with the development of Timorese armed forces.

The second highlight is the relative calm in the internal situation that has allowed 12 districts to be handed over by UNMISET to the National Police of Timor-Leste, with the thirteenth district ready for handing over.

The third is the progress achieved by UNMISET in preparing Timor-Leste to gradually take over its civil administration. The Secretary-General has acknowledged this by referring to Timor-Leste's

> "remarkable progress in laying the foundations for a functioning civil service and police force." (*S/2003/944, para. 55*).

The fourth highlight is the success of the Government of Timor-Leste in generating revenues worth $44.1 million, including $26.7 million from Timor Sea revenues during the current year, as an indication of the increasing ability of the State to mobilize its own resources.

The final highlight is the establishment of strong relations between Timor-Leste and Indonesia by way of exchange of high-level visits and conclusion of a joint statement reaffirming the intention of the two countries to address together a number of important bilateral issues.

Those developments illustrate the progress achieved during the period covered by the Secretary-General's report. Recognizing that nation-building is a long-term process, the Secretary-General has highlighted the continued indispensability of international assistance. He has projected that Timor-Leste will continue to need international guidance and advice in the areas of civil administration, justice and policing, human rights training and, possibly, security. We took forward to hearing further from the Secretary-General on his recommendations in this regard.

The progress achieved since the independence of the Timor-Leste has to be attributed to the country's enlightened and forward looking leadership. Special recognition has to be accorded here to Prime Minister H.E. Mr. Mari B. Alkatiri, who only recently addressed the United Nations General Assembly. The contributions of the Special Representative of the Secretary-General, Mr. Kamalesh Sharma and the civilian, military and police components of UNMISET, including the United Nations Volunteers, in the successful evolution of Timor-Leste from a nascent State to a confident member of the United Nations fraternity, also deserve our recognition.

We also take this opportunity to pay tribute to the memory of the late Sergio Vieira de Mello, who made invaluable contributions to nation-building in Timor-Leste.

The President: I now give the floor to the representative of Malaysia.

Mr. Rastam (Malaysia): I thank the Secretary-General for his report; the Special Representative of the Secretary-General, Mr. Kamalesh Sharma, for his comprehensive presentation; and the United Nations Mission of Support in East Timor (UNMISET) for the good work it has done. I also congratulate them all.

Timor-Leste is now entering the final phases of the drawdown in UNMISET's presence. We note from the report and the briefing that Timor-Leste has made remarkable progress in governance and the development of its civil service. The development of basic skills among the Timorese is continuing and progressing well. We welcome the initiation of an open presidency by President Gusmão and the continuation of the open governance initiative by the Government. We note with satisfaction that the National Parliament has concluded its first year of legislative activity.

I am sure that the Security Council and the international community continue to share the concerns that the Secretary-General had raised prior to the independence of the country, such as the lack of expertise in the areas of finance, justice, rule of law, human rights and policing. This shortcoming could remain as an impediment to successful progress towards viable nation-building. However, we believe that with the resolve of the Government and of the people of Timor-Leste, and with international assistance, this shortcoming can be overcome in due course.

We note that with regard to civilian advisers, 37 per cent of the total posts identified have not yet been funded. According to the Secretary-General, 22 per cent of the prison population is comprised of individuals in detention under expired warrants. The National Police of Timor-Leste still requires international assistance, especially in the areas of effectiveness, impartiality and accountability. Of particular concern are the specialized areas such as investigations, forensics, intelligence gathering and special operations to counter acts of terrorism, hijacking and kidnapping. Furthermore, it is envisaged that the Timor-Leste Defence Force would unlikely be in a position to conduct sustained operations immediately following the withdrawal of the United Nations Mission of Support in East Timor (UNMISET).

Malaysia believes that continued efforts to improve public administration and sustain a peaceful environment will provide the critical foundation for the promotion of social and economic development in Timor-Leste. The concerns highlighted by the Secretary-General certainly require a thorough analysis by the Council and the international community at large. We note that significant progress has been made towards the major milestones identified in UNMISET's implementation plan. But the Secretary-General has also assessed that it will not be possible for Timor-Leste to achieve self-sufficiency in certain key areas of UNMISET's mandate by 20 May 2004. It is therefore fitting that thought be given to what should follow the

expiration of UNMISET's mandate. In this regard, I note the statement made earlier by Ambassador John Dauth, the permanent representative of Australia, regarding Australia's proposal for a follow-on United Nations mission, as well as the remarks made by Ambassador Kishore Mahbubani, the permanent representative of Singapore.

We note that Timor-Leste remains a predominantly agrarian society. Poverty is still a critical problem. Unemployment is still high. Urban unemployment is now a major concern. Although the Government has been able to collect $44 million in revenue this year, much of it derived from petroleum-related earnings, the national budget still requires international assistance to cover a shortfall of some $26.6 million. The heavy reliance of the economy on external factors has to be addressed on an urgent basis by UNMISET and the Government.

In this connection, Malaysia believes that the development of the private sector is also critical to stimulating economic growth. The role played by the United Nations Development Programme and the World Bank, concerning proposals for projects that would employ the Timorese people, will also be critical.

The process of nation-building and reconciliation is a highly complex and sensitive matter. At the same time, the formation of a sustainable democratic State would require a higher level of maturity by the people of Timor-Leste than what they have achieved so far. It is important that all parties concerned put aside their differences to maintain the political stability of the country. In this regard, we hope that the leaders of Timor-Leste will pay equal attention to the rights of each of the minority populations, including the minority Muslim population. Malaysia believes that, with political stability and sound economic and social planning, the economy will gradually progress and develop.

As a country in the region, Malaysia will play its part in assisting the Government and people of Timor-Leste in their nation-building efforts. We will assist within our capability to do so. We would continue to provide the appropriate assistance, bilaterally and through regional and international efforts, including our participation in the United Nations mission. In this connection, we are appreciative of the acceptance of and support given by the Government of Timor-Leste to the current Force Commander of UNMISET, who is from the Malaysian Armed Forces.

We have also deployed under UNMISET a self-sustained police unit comprising 125 personnel from the Royal Malaysian Police. In addition, we have 30 additional Malaysian civilian police personnel serving with UNMISET. They have also been able to assist in training the National Police of Timor-Leste. Malaysia has also provided training to the Timorese in various areas of human resources, including archiving, firefighting, policing and diplomacy, through the Malaysian Technical Cooperation Programme.

Additional areas of assistance and cooperation between Malaysia and Timor-Leste are also being explored. The Embassy of Malaysia in Dili would be in a position to facilitate further cooperation. The first Malaysian resident Ambassador to Timor-Leste has been at his post in Dili since August. Timor-Leste has also appointed its Ambassador to Malaysia. The exchange of high-level visits between the two countries, including visits in the very near future, would definitely further strengthen relations and cooperation.

Clearly, in this early stage of its post-independence period, Timor-Leste will face many challenges in nation-building. In this, the friends of Timor-Leste in the region and beyond can play a constructive role. In this regard, we warmly welcome the cordial and constructive contacts and bilateral engagements between Timor-Leste and its immediate and important neighbour, Indonesia. We think that this augurs well for Timor-Leste in its effort to play a meaningful role in the region.

It is clear to Malaysia, from the Secretary-General's report, that the international community must assess and take stock of the progress and challenges faced by the Government and people of Timor-Leste and the international community in fulfilling the common responsibility to further progress in the nation after the withdrawal of UNMISET. It is crucial for us to meet the urgent and indispensable requirements of the country in the remaining period and to secure the progress achieved so far. In this connection, my delegation looks forward to receiving a report from the Secretary-General in early 2004.

In conclusion, I wish to join the Secretary-General and others in paying tribute to the late Sergio Vieira de Mello, the Secretary-General's former

Special Representative, for the remarkable and enormous contribution that he made to Timor-Leste and the United Nations efforts in the country.

Mr. MacKay (New Zealand): We would like, at the outset, to pay tribute to Mr. Sharma, Special Representative of the Secretary-General, to his staff and to those here at United Nations Headquarters who do such a fine job in supporting the United Nations Mission of Support in East Timor (UNMISET). Their hard work, and the commitment and leadership shown by Timor-Leste, will be critical factors in achieving progress in the final months of UNMISET's mandate.

When we look at what has been achieved in Timor-Leste at the macro level, there is much to celebrate. The United Nations should rightly feel proud of the contribution it has made to the improved stability and long-term sustainability of its newest Member State.

But decisions on the withdrawal from a country that has been host to a substantial United Nations presence must be made on the basis of careful and well-informed consideration, and backed by an appropriate level of detail. New Zealand, for its part, supports the current downsizing schedule for UNMISET, on the basis of current information, which will see that mission conclude in May 2004. But we do not believe that a total withdrawal from Timor-Leste by the United Nations at that time would be either appropriate or sustainable.

New Zealand therefore fully endorses the Secretary-General's intention to return to these issues in more detail early next year, at which time the Council can consider the form and composition of a United Nations presence after the conclusion of UNMISET's mandate. We consider some form of transitional United Nations presence — less than a traditional peacekeeping mission like UNMISET but certainly more than the standard developmental presence — to be essential and, in this respect, we note with considerable interest the Australian proposals for a follow-on United Nations mission, detailed in Ambassador Dauth's statement a short while ago.

We will rely on the Secretary-General to provide us with a frank assessment of what is required on the ground, and how best the United Nations can respond to these needs. In this respect, we welcome the indications given by Special Representative Sharma in his report to the Council earlier this morning.

We are concerned that progress in some sectors appears slow or fragile. We would welcome a particular focus on these sectors — especially policing, justice, prisons and human rights — in the Secretary-General's report early next year.

Progress in other sectors is clearly more encouraging, and news of political agreement reached between Indonesia and Timor-Leste on issues relating to the common border is very encouraging. We hope that technical agreement and implementation can follow these recent expressions of political will.

We would certainly hope to see substantial progress on border issues, as a critical milestone of UNMISET's mandate, in time for the Council's next discussion of Timor-Leste.

New Zealand shares the Secretary-General's observation that work remains to be done by the international community in Timor-Leste. We endorse his intention to provide further careful evaluation and proposals on a possible United Nations presence after the conclusion of UNMISET, and look forward to further discussion of this issue early next year.

Finally, I join others who have reflected on the memory of the late Sergio Vieira de Mello and the huge contribution which he made to Timor-Leste; of course, we fully reflect on those memories.

The President: Now I offer the floor to Ambassador Sharma, should he wish to make any further comments or observations.

Mr. Sharma: Thank you, Mr. President, for giving me this opportunity to make a few observations — very briefly, naturally.

First, I thank all delegations for their advice and guidance, which we will take into account in our work, as well as for the kind and complimentary words directed towards UNMISET and towards me. This is a great encouragement. I will communicate these sentiments to my colleagues after my return. I am convinced that the confidence expressed by the Council in the work they are doing will further galvanize them into giving even a bit more of themselves to the achievement of the goals set by the Council for UNMISET. I acknowledge, with appreciation, the commitment and solidarity of the entire team I have the honour to lead, and the spirit which they have shown in its work for the people of Timor-Leste.

I would also like to join the tribute paid to the work done by Sergio Vieira de Mello, a true friend of Timor-Leste, to whose memory we pay homage. I try to build on his pioneering contribution and on the foundations prepared by the leadership of Timor-Leste in cooperation with him.

Delegations have asked a few questions and requested clarification and information. I have noted these, and will be in touch with the delegations concerned. In view of the time, and also the need to maintain my popularity, I would like not to impose further on the Council at this moment.

The President: Thank you, Ambassador, and thank you again for joining us today. Clearly, you and your colleagues have the support of the Council.

There are no further speakers on my list. The Security Council has thus concluded the present stage of its consideration of the item on its agenda.

The meeting rose at 1.50 p.m.